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THE TERRITORIAL EXPANSION OF THE UNITED STATES

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Factors in American History

BY

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PREFACE

EXCEPT for Lord Bryce's Inaugural, the lectures delivered on the Sir George Watson Foundation have hitherto been given by eminent American citizens; and in view of this fact the appearance of this volume on American history would have required some apology from me, had not the responsibility for my appointment to that chair rested with others. I have had the privilege of addressing many American audiences on English history; I have never had the temerity to address one on their own. These lectures were addressed to English people by one who knew only enough of American history to be aware of his own and popular ignorance and to appreciate the need for a better general understanding.

They were delivered in the spring of 1924 at the Mansion House (9 May), the Universities of Birmingham (16 May), Sheffield (23 May), and Liverpool (30 May), University College, Nottingham (13 June), and the Universities of Bristol (20 June), London (26 June), and Oxford (31 May). I have to thank my hosts for kindly hospitality, Vice-Chancellors and others for

presiding at the different lectures—notably the Earl of Balfour who was good enough to take the chair at that given in the University of London—and my friend Dr C. W. Alvord for reading my proofs.

The lectures were for the most part delivered from notes and written out afterwards. An engagement as Professor *pro tempore* in Columbia University in the autumn postponed their publication but enabled me to add a number of references and illustrations of my theme. It also provided an opportunity, which I should be loth to neglect, of acknowledging the gracious hospitality and unfailing courtesy which fell to my lot on this as on other occasions.

I should like to add, if I might be so bold, that if Britons were as conspicuously eager to learn about the United States as American students are about England, there would be fewer obstacles to that better understanding which it is the object of the Sir George Watson Foundation to foster.

A. F. POLLARD

UNIVERSITY OF LONDON
1 *February*, 1925

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MAP

THE TERRITORIAL EXPANSION OF THE UNITED STATES *Frontispiece*

CHAPTER I

Inheritance and Tradition

A HUNDRED and fifty years ago, almost to this day[1], Parliament was discussing two sets of legislative proposals, one of which helped to retain and build up the present Dominion of Canada, while the other went far to dismember the British Empire and create the United States. The Quebec Act, which was introduced into the House of Lords on 2 May, 1774, granted the French Canadians the free use of their own religion, civil laws, and land tenure; it has always been regarded as their Magna Carta, and it kept them almost surprisingly loyal during America's Revolution and its subsequent wars with Great Britain. The other proposals which engaged the attention of Parliament during that spring were four penal acts against Boston[2] which rallied the other twelve colonies to the side of Massachusetts, produced the first Continental Congress, and led to the Declaration of Independence. The communities, thus repelled or revolting from the empire and constrained to unite with one another, have grown into

[1] 9 May, 1924.

[2] Reprinted in W. MacDonald's *Select Charters, etc.* 1914, pp. 337–56.

what is potentially, if not actually, the most powerful state in the world—powerful not merely by weight of numbers[1] or force of arms, nor even by reason of its wealth, but through the pervading influence of its ideas of law and politics.

Yet it took the Great War to make us realize the significance of the portent. The colonists had gone west, and not until they returned in the closing years of the war to give the victory to the Allies did there come home to us the necessity of studying, in the hope that we might understand, a phenomenon comparable, in the perspective of the history of the world, with the civilization of ancient Greece, the far-flung, long-drawn rule of Rome, the Renaissance, the Reformation, and the Revolutions of Industry and of France. The two first of those elements in our culture were for centuries the staple of our education. The next four forced their way into educational curricula during the nineteenth century. It is not a credit to our prescience that it should have been left to the twentieth to take educational cognizance of the greatest experiment in politics the world has ever seen; and there was a capacious breach in British

[1] The area of U.S., excluding Alaska and overseas possessions, is over 3 million square miles. The density of England's population is 700 per square mile. If the United States became as populous, it would contain over 2,000 million people, more than the present population of the world.

education when Sir George Watson stepped in to fill it with his munificent foundation.

That benefaction is confined to no particular university. Its purpose is, I take it, to broadcast the seed of interest and understanding over as many centres of education as may be possible, in the hope that it may strike root, spring up, and bear fruit in the shape of professorships and departments of American history, literature, and economics throughout the universities of the United Kingdom. The work of the Sir George Watson Chair is therefore of a pioneer and missionary character. Its conditions preclude its occupant from that intensive cultivation of some particular field in the continent of American history which is only compatible with a life devoted to that subject and with continuous lecturing in a particular place to a single and a specialized audience. But specialists are the few, who have no need of such salvation as may come from attendance at a casual lecture; and to them I would address but one remark, if only as an apology for my temerity in succumbing to the temptation to trespass on their domain.

We are in some danger of treating history as a world of one dimension. Depth of research is an excellent, nay, an indispensable, factor in historical study. But we also need breadth of view. True history, says Lord Morley, consists in bridging distances of

space and circumstance[1]. Lord Bryce, who wrote the best account of the American Commonwealth, also wrote the best sketch of the Holy Roman Empire. There is also quality of thought as well as quantity of fact in the make-up of the historian, and perspective as well as detail in architectural design. One of the greatest of American financiers recently remarked that the United States was suffering from a plethora of "undigested securities."[2] American, like other history, may suffer from a plethora of undigested facts. I could not, if I would, add to the mass of excellent research which now pours out in such a volume from American historians that one wonders that even the United States can contain it all. I can only collect a light here and there, bring it to bear upon the interpretation of certain aspects of American history, and strive to weave the subjects of my various lectures into a single intelligible theme.

That theme was suggested by an admirable volume on *The British Empire and the United States*, written some ten years ago by the late Prof. Dunning of Columbia University for that celebration of the century of peace between the two countries which was interrupted by the outbreak of the Great War. The subject of that volume was the progressive improvement with the lapse of time in the relations between

[1] *Recollections*, II. 67.

[2] J. M. Beck, *The Constitution of the United States*, p. 194.

the two great branches of the English-speaking world; and Prof. Dunning attributed it principally to the increasing democratization of Great Britain and the Dominions. Lord Bryce concurred, with some qualification, in that opinion; and there can be little doubt of its substantial truth[1]. But it is not the whole truth. The undoubted approximation has not been due to movement or development on one side alone. Neither country has been Mahomet, and neither has been the mountain. Both peoples have developed internally as well as moving towards one another in their external relations. The Americans are not an entirely conservative people any more than the British are wholly progressive; and both are now inclined to resent almost as a slur the suggestion that they are remote from each other. A well-known Englishman in the early days of the war referred in the presence of the late ambassador, Mr Page, to the "remoteness" of the United States. "Remote from what?" retorted the ambassador[2]. It was a natural British charge when the struggle in France and Flanders seemed the vortex of human affairs.

[1] The same view is taken in J. D. Whelpley's *British-American Relations*, 1924. It does not imply that Tory ministers did not exhibit the "candid and liberal spirit" which Rush attributed to Castlereagh. Utterances of Palmerston, Russell, and Gladstone created more ill-feeling in the United States than any of Peel's, Disraeli's, or Lord Salisbury's.

[2] *Letters, etc.* ed. Hendrik, II. 85–6.

But it was well to be reminded that Great Britain is as remote from the United States as America is from us, and to avoid at all times the accentuation of our accent and the assumption that distance from ourselves involves remoteness from humanity.

If, however, it is difficult to realize our own remoteness, we find it apparently easier than our kin across the sea to admit that we have changed. It used to be said that Americans still thought of England as though it were ruled by George III. But, the result of the War of Independence being what it was, we are under no temptation to glorify George III, pride ourselves on the Parliament which made itself his tool, or claim that we are of like passions as our forbears. The inducement is stronger across the Atlantic to live in that particular past, to claim present affinity with its ideals, and to assume a perfection of principle and an eternity of glory for the Sons of Liberty and the Fathers of the Revolution. The tendency was to regard the period as an American golden age followed by no fall of man. Humanity as nearly as possible reached perfection in George Washington: the chosen people had emerged from Egyptian bondage with its Ten Commandments; and the rights of man were its Book of Revelation.

The trouble, however, about perfection is that it does not admit of progress, unless, being perfect ourselves, progress consists in imposing perfection on

others. That may be the white man's burden, which took, in the America of the "roaring 'forties," the form of "Manifest Destiny." But the man who is perfectly white must always be a conservative. He cannot afford to change without admitting deterioration, and the more perfect the Fathers of the Revolution the more difficult the improvement of their sons. Nor was it much of a compliment to American government to assume that the most perfect generation of American people had been produced and nurtured under the colonial system of the British Empire. This pessimistic view of American progress under American government is not, indeed, historically justifiable. The halo belongs to a primitive stage of art before men can distinguish a saint without it. Nor was it very visible to men of the times themselves. "There is," wrote John Adams, the second President of the Republic, "an overweening fondness for representing this country as a scene of liberty, equality, fraternity, union, harmony, and benevolence. But let not your sons and mine deceive themselves. This country, like all others, has been a theatre of parties and feuds for near two hundred years."[1]

History having thus taken the place of hagiology,

[1] John Adams, *Works*, ed. Boston, 1856, x. 241, quoted in James Truslow Adams, *Revolutionary New England*, p. 254.

evolution was no longer excluded by the doctrine of special creation. Things are not necessarily new in themselves because they are new to us. History did not begin in 1776. The American people existed before it declared its independence, and it was not made perfect by that declaration. There was growth before and after, and possibly a growing taste for pedigrees helped the growth of the idea that American ideas, including the rights and equality of men, had themselves an old and even a European ancestry. The American people was not born in 1776, it merely asserted that it had then attained its majority and was entitled to a natural and a national inheritance. It was heir to all the ages and to most of the countries of Europe. "For the sake of enjoying the sensation of being a peculiar people," protested an American historian in the opening year of the present century, "we are willing to forget the glorious heritage of a thousand years. . . . There never has been a New World in the sense that principles have been developed here which were unknown elsewhere."

Nathaniel Hawthorne spoke of England as "our old home"; and a later writer asks "was not Elizabeth our queen? and Shakespeare our poet? and Drake our hero and protector when the Spanish Armada bore down on our fathers' shores?"[1] But both these writers were New Englanders. "We

[1] A. B. Hart, *American Foreign Policy*, pp. 1–2.

are," said President Wilson in his second Inaugural[1], "a composite and a cosmopolitan people. We are of the blood of all the nations that are at war." That was no new doctrine. "Europe, and not England," declared Tom Paine in his *Common Sense*, "is the parent country of America."[2] That is partially true of the natural man, and there is a considerable percentage of other than English blood in the American people, though possibly not greater than the proportion of other than Anglo-Saxon blood in the English people. For, writes Defoe[3]:

> Thus from a mixture of all kinds began
> That heterogeneous thing, an Englishman.

But a nation is not a natural man. It consists of other and subtler things than race; and few Americans dispute the overwhelming predominance of English language and literature, law and thought, in American civilization[4]. A common tongue is, however, an inadequate means of keeping the peace. It is itself an unruly member, and the English-speaking Union has to rely on other things than its English. The fact

[1] *President Wilson's Foreign Policy*, ed. J. B. Scott, p. 269.

[2] Cited in J. T. Adams, *Revolutionary New England*, p. 439; see figures in Channing, *History of U.S.A.* III. 528–30, and Max Farrand, *Development of U.S.A.* pp. 10–12.

[3] *The True-born Englishman.*

[4] Every President of the United States but two has borne a British name; and of the two (van Buren and Roosevelt) the latter would hardly be cited as evidence of an un-English strain in American politics.

that we all spoke English did not prevent Great Britain from waging two wars on America, nor even Cavaliers from fighting Roundheads, and the North from fighting the South in the American Civil War. Understanding what others say has not always a soothing effect, and the peace of the Anglo-Saxon world would have been more often disturbed than it was, had science progressed so far in the nineteenth century as to enable patriotic journals to broadcast their daily compliments across the Atlantic Ocean.

A better security lies in the facts that the United States inherited English problems, and that its people were predisposed, also by inheritance and tradition, to treat them in a somewhat similar way. "We, too, are heirs of Runnymede," says Whittier[1], and there is an association for the celebration of Magna Carta which is more active in America than in England. There is not much sympathy for King John, and not a great deal for George III, on either side of the Atlantic. I do not know what would have happened to George had he been caught in America during the Revolution, but he could hardly have been treated worse than we treated Charles I and James II; and to rebuke others for rebellion hardly becomes a people which, down to 1688, rebelled against half its kings. These were times which not only tried men's

[1] "To Englishmen," 1861, in *Poetical Works* (popular ed. p. 191).

souls but in which they sometimes lost their heads. But in the due process of law there was little difference between English and American methods. "I hear," said Burke in his speech on conciliation with the colonies, "that they have sold as many of Blackstone's *Commentaries* in America as in England"[1]; and if Blackstone provided the colonists with their handbook of law, John Locke supplied them with their guide to Revolution. That issue, too, was an English issue, not merely in the one-sided sense that England was one of the parties to the conflict, but in the comprehensive sense that the arguments on both sides were English arguments. If Lord North and George III relied on the sovereignty of the English Parliament, the colonists appealed to the charters of English kings, to the works of English philosophers[2], and to their rights as Englishmen. The contest was a continuation of the conflict between English parties in the seventeenth century, and it only broke out because our Declaration of Rights had failed to secure for American colonists the political rights it asserted for Englishmen at home. The American Revolution of 1776 is the second volume of the English Revolution of 1688.

The tradition did not cease with American in-

[1] *Select Works*, ed. J. F. Payne, I. 182.

[2] Cf. Carl Becker, *The Declaration of Independence*, pp. 35–79.

dependence nor limit itself to law and domestic politics. Runnymede and the philosophy of nature were not the only English things to which America was heir. It has also been the heir to England's wars, and not merely in the beneficial sense that the enviable security, which has enabled the United States to become so profoundly anti-militarist, has been largely due to Wolfe's conquest of Quebec, but because the United States came into the less pacific heritage of English quarrels with other countries over possessions in the New World. Since 1815 the British Empire has fought no wars originating in that hemisphere because her legatee has been the United States, and with the assets of the British Empire the United States took over its share in the liabilities. A list of its wars would illustrate the point. The first country with which it was involved in hostilities after the recognition of independence was France, with which it had lately been in alliance, but with which Great Britain had been at war throughout a great part of the century. The next was a war with the Barbary pirates; and in the early years of the nineteenth century we find American commanders bombarding Moorish ports, just as Blake did in the time of Oliver Cromwell and Lord Exmouth did in 1816. Next to France, England's chief enemy had been Spain; and if America's most profitable wars were waged with Mexico rather than

Spain, it was only because the liberation of Spanish America had deprived it of Spanish protection: the unliberated parts of that empire were conquered in 1898. The war against Mexico in the eighteen-forties was described by Americans in the true Elizabethan vernacular as one between "the invincible Anglo-Saxon race" and "superstitious Catholicism goaded on by a miserable priesthood."[1] Thus did the United States conclude the chapter begun by Elizabethan sea-dogs; and in the latest and greatest of their wars the English-speaking peoples were not divided. It was the first in which either had been involved against Germany; and if they did not come in together, they came in for a common cause.

But if the United States was heir to an English quarrel in the strife between Spanish and Anglo-Saxon civilization, and if the Panama canal is a materialization of the vision splendid which Drake saw of the Pacific in 1573, there was also the *damnosa haereditas* of Hawkins, national bigotry, and the slave trade. Slavery was an English before it was an American institution; and even the principles of law affirmed in the famous Dred Scott decision—that one man may be another's property and that to deprive men of their property without due process of law is to deny their natural rights and liberties—

[1] J. F. Rhodes, *Hist. U.S.A.* 1. 93.

can be found in Magna Carta. Throughout the whole gamut of American institutions and ideas, from the lowest interests to the highest ideals, the origins go back to inheritance and tradition.

So, too, it was by similar stages that the two peoples won their way to pre-eminence among the commonwealths of the world. The United States had its heptarchy in the old colonial system, with its rival and independent colonial governments and their taxation of each other's commerce, struggles for hinterland, and inability to combine for a common purpose. The Carolinas were indifferent to the perils of Massachusetts, and New England to those of Virginia, just as English estates in the Middle Ages thought defence against Scotland purely a matter for border counties, and the keeping of the Straits the sole concern of the Cinque Ports[1]. It is no easier to say precisely when an English, than when an American, nation emerged from this provincial diversity. Some of us might suggest in the time of the Tudors, an experience which most Americans are glad to think they went through in their pre-natal days. As late as 1917 President Wilson proclaimed, as though it were news, that Americans were provincials no longer[2]. But some of the national symptoms had appeared a century earlier, and one

[1] See my *Evolution of Parliament*, pp. 145–8.

[2] *Messages, Addresses, and Papers*, ed. J. B. Scott, p. 270.

of the most significant was the impulse to expand. Peoples can seldom fuse without wanting to explode. The English began to feel the need of expansion when their population was about sixty to the square mile. Nothing indicates the expansiveness of the American people more than the fact that they began to feel a similar need when their population was about six to the square mile. But England was an island, and even across the Narrow Seas the land belonged to fairly formidable neighbours. The Americans, after the Seven Years' War, need ask no neighbours to forgive them their trespasses; and there was no estranging sea nor frowning fortress to forbid the pioneer.

We can hardly be more precise about the birthday of an empire than about that of a nation, and no one can mark the point at which nationalism shades into imperialism. Every nation feels itself a chosen people[1], and its habitation God's own land. It has at least chosen to be a people itself, and that is, I suppose, what is meant by self-determination. The nation wants to stand apart. We used to glory in "splendid isolation," and the Americans stereotyped the sentiment into the Monroe Doctrine. But in both cases it meant other people's hands off us rather than our hands off other people. The advantage of the command of the sea, as it was expounded by

[1] Cf. J. T. Adams, *Revolutionary New England*, p. 437.

Bacon, was not that it condemned us to isolation, but that it enabled us to take as large or as little a part as we chose in wars in other lands[1]. It was the foundation of our national liberty to be free from risks in which others were involved. We wanted freedom from "entangling alliances" with other nations in order to pursue our "manifest destiny"; and if manifest destiny kept both countries out of entangling alliances, it did not save them from embarrassing wars in pursuit of frontiers which were never satisfactory or scientific so long as they could be extended. Mr Page once referred good-humouredly to our, *i.e.* the British, "centuries of land-stealing."[2] "In reality," writes the distinguished Professor of International Law at Columbia University, "the history of the United States presents an almost continuous record of territorial extension."[3] Centuries, however, were not needed in America, and in less than a decade, between 1840 and 1848, the United States doubled its already vast territory[4] and added to its dominion an area greater

[1] Essay, *Of the true greatness of Kingdoms and Estates.*

[2] *Letters, etc.* I. 211. Even the judicious Henry Adams writes of "the two great robbers who were plundering Spain" in 1804 without reference to the Power which got away with Louisiana, both the Floridas, and half of Mexico (*Hist. U.S.A.* ii. 282).

[3] Prof. John B. Moore in *Cambridge Modern History*, VII. 674.

[4] Farrand, *Development of United States*, pp. 179–83.

than that of the British Empire itself in 1775, even including the thirteen American colonies. Their lands were presumably stolen by English colonists, whose stealing ceased to be theft when the colonists ceased to be English.

Satiety came at last and almost simultaneously to the British Empire and the United States. It was time for the "satiated powers" to rest and be thankful; and idealism began to pervade if not to supplant imperialism. Conquests on both sides of the Atlantic were even restored or made independent, or at worst retained under mandates based on the principle that the conquered lands were not the property of the conqueror. The Assembly of the League of Nations is thronged with delegates of States who in an earlier age would have graced a triumphal procession or added jewels to a victor's crown; and the climax which we have sought and apparently secured is a supreme Court of Justice for the nations of the world. Take away justice, we might parody St Augustine, and what is national liberty but international anarchy? These, said President Wilson, are American principles and American policies[1]. They are also English, and it seems a far cry back from this co-operation to the schism which rent into two States the English people of a hundred and fifty years ago.

The truth is that the sphere of human thought and

[1] *Messages, Addresses, etc.* ed. J. B. Scott, 1918, p. 254.

human action which is represented by the State is very small; and outside the *differentia* upon which rests the diversity of states there lies a vast field of common thought and common feeling even on political affairs. The ancient Greeks could divide into scores of different states and yet have a common civilization which distinguished them from the barbarians in matters far more fundamental than those in which they differed among themselves. So English and Americans have different states without a mentality that differs much on fundamental politics; and, whatever may be the case with Americans in England, the Englishman does not feel himself a foreigner in the United States. Another straw will indicate the wind. In that useful and familiar handbook, *Whitaker's Almanack*, you will notice that the United States of America is not put among foreign countries. It does not occur under "A" between Albania and Andorra, nor under "U" between the Ukraine and Uruguay. It has a category to itself between the British Empire and other foreign countries. But a common inheritance of principle does not preclude dispute over its application, and belief in the virtue of national self-government does not help us to determine what is a nation. Americans differed as sharply over this question among themselves in 1861 as they did with us in 1776; and Woodrow Wilson could hardly, on the principle of self-deter-

mination, have dealt with Jefferson Davis by the methods of Abraham Lincoln. That was a civil war; so, too, was the War of Independence, because it was fought by parties who differed over the interpretation of a common political heritage, and merely raised to a greater power the kind of dissension upon which all parties are based.

The argument of the colonists was that they were better Englishmen than the English, sounder interpreters of the British constitution than George III, and more consistent defenders of the fundamental laws of nature than the sovereign Parliament[1]. The Virginia resolutions on the Stamp Act invoked "the distinguishing characteristic of British freedom, without which the ancient constitution cannot exist."[2] The colonists appealed again and again to their rights as Englishmen, and vigorously denied that by emigration they had forfeited any one of them. "We declare," said the first Continental Congress in 1774, "as Englishmen our ancestors in like case have usually done," that "the inhabitants of the English colonies in North America by the immutable laws of nature, the principles of the English constitution, and the several charters or compacts, have the following rights"[3]; and two years later the

[1] Cf. McIlwain, *American Revolution*, pp. 15–17.
[2] Morison, *Docs.* p. 17.
[3] *Ibid.* p. 119.

Declaration of Independence, strikingly reminiscent of our own Declaration of Rights in 1688, proceeded to charge George III with precisely the same sort of breaches of those rights as were charged against James II. These men were no revolutionaries sick of the "meagre, stale, forbidding ways, of custom, law, and statute." For English statutes, indeed, they had little affection, but custom and law were things to which they clung; and the Revolution was brought on by the stubborn conservatism of the colonists in conflict with the radical innovations of George III and his Imperial Parliament. The more the breach widened, the deeper the colonists burrowed in the past for a foundation of their new-born faith. Against the eighteenth-century parliamentary claims to sovereignty they set their seventeenth-century royal charters; to the theory of taxation imposed by a united parliament they replied with the mediaeval practice of free grant by several estates; and in their ultimate appeal they went back to St Thomas Aquinas for their ideas of natural law, to Roman doctrine for the natural equality of man, and eventually to the immutable laws of nature and of God[1]. "There can,"

[1] The maxim, *quod ad jus naturale pertinet, omnes homines aequales sunt*, comes from Ulpian (cf. Carlyle, *Mediaeval Political Theory*, I. 8–9, 47). The doctrine that *jure naturali* all men are born free is postulated in Justinian's *Institutiones*, Lib. I. tit. v. 'De Libertinis,' and is implied in Cicero. It was a commonplace in the Middle Ages, and was regularly

declared James Otis, "be no prescription old enough to supersede the law of nature and the grant of God Almighty."[1] The colonists took their stand on the English constitution as it was before the emigration of their fathers and resisted what it had become without their connivance or consent.

But a constitution is only the formal expression of ideas derived from social, economic, and political impulses; and, just as we attribute the Reformation, partly at least, to what Lord Acton called the "intruding imperialism of Rome,"[2] so we find one cause of the American Revolution in the intruding imperialism of Great Britain. This is not the place to show how the establishment of responsible government in Great Britain gave its government control of the public purse, placed at its disposal revenues of which no Tudor could have dreamt, and enabled it to create the British Empire. Nor is there time to show that this "intruding imperialism" was not so much wanton and wilful aggression as the reluctant acceptance of responsibilities which accrued from

quoted in charters of manumission (cf. *Hereford Episcopal Reg.* Lacy (Canterbury and York Soc.), pp. 3, 43, 62, and my *Henry VII*, II. 234, "cum ab initio omnes homines natura liberos creavit, et postea jus gentium quosdam sub jugo servitutis constituit"). For ideas of natural law in America see Carl Becker, *Declaration of Independence*, 1922, pp. 60–1, etc.

[1] Cited in McIlwain, *op. cit.* pp. 14, 154.

[2] *On the Study of History*, p. 9.

wars that were not sought. Our business is to indicate how the expansion of British empire and the consolidation of British control imposed on the American colonies the alternative of absorption or separation.

The original colonists were anything but the civil servants of an empire; they went out, as a memorial to James I's Privy Council complained "in contempt of authority,"[1] and the moving spirits were neither Parliament nor the Crown. A band of Pilgrim Fathers, a company of merchants, private proprietors in the shape of a Catholic peer, a Quaker commoner, or a Whig politician, were typical pioneers and captains of colonial enterprise. The mother country let its children stray without much thought about their future, and both Pilgrim Fathers and piratical buccaneers went their own way on their own responsibility. If they were massacred by Indians or fell a prey to the perils of the deep, it was their own concern. They had to defend themselves without imperial forces and feel their way without Admiralty charts across unplumbed, estranging seas. Parliament, immersed in its struggle with the Crown, would supply the Stuarts with no means for protecting colonists or adventurers, lest the forces of the Crown should be turned against itself; and it was as indifferent to the colonies of the Stuart Crown as they

[1] *Cal. State Papers*, Colonial Ser. I. 30, 63, 65.

were to the parliamentary empire of the eighteenth century.

But the Revolution of 1688 turned the dominions of the Crown into the affairs of Parliament and the public; and colonization became a government enterprise and a national policy. Already in Charles II's reign England had conquered the Dutch colonies in North America; and in the eighteenth century the British taxpayer provided the means for the acquisition of Nova Scotia, Georgia, the two Floridas, and Canada[1]. Imperial forces came upon the scene and the Imperial Parliament was bound to follow. Side by side with the constitutional maxim of "no taxation without representation" had to be set the older adage that he who pays the piper calls the tune. The tune was not disliked at first. It was called Imperial Preference, and the object of imperial policy was "to make the empire a co-ordinating economic whole."[2] If colonists were required to sell in British markets, Britons were made to buy colonial goods. The mother country thought this balanced the account. The colonies held that the value to Britain of their trade entitled them also to gratuitous imperial defence. Massachusetts urged that "these infant plantations" could not reasonably be expected to wage war as principals in their own

[1] Alvord, *Mississippi Valley*, II. 145.
[2] J. T. Adams, *op. cit.* p. 119.

defence; while the Virginian Assembly decreed that all citizens qualified to vote for its members should be exempt from military service, and asked England to send troops and pay for them as well[1]. "While he continues in infancy and nonage," pleaded James Wilson, "the subject cannot perform the duties which his allegiance requires. The performance of them must be respited till he arrive at the years of discretion and maturity."[2]

This feudal argument could easily be turned. While the feudal infant was under age, his estates were vested in the Crown, which provided for their defence out of the revenues which accrued to it. But colonial quit-rents produced but £16,000 a year, while colonial government cost Great Britain £420,000[3]. The novelty of the situation consisted in the claim of the colonists to be mature enough to govern, without being old enough to defend, themselves and in the enormous increase in the cost of colonial defence imposed on Great Britain by rivalry with France. The French had thrust down the Mississippi, joined hands with Spain on the Gulf of Mexico, and were hemming the English colonies in between the Alleghanies and the sea; and the contention that the Seven Years' War, in which George Washington

[1] J. T. Adams, *op. cit.* pp. 228–9.
[2] Morison, *Docs.* p. 114.
[3] Alvord, *op. cit.* I. 284.

struck the first blow at Great Meadows in Pennsylvania, was "undertaken by Great Britain solely in her own interests,"[1] was only tenable on the assumption that her own included the colonies and that she was their trustee, entitled to recover from the estate the cost of its protection.

The costs were increased by the variety of the estates, their treatment of the Indians which made them allies of the French, and their inability to co-operate. A congress at Albany, called in 1754, broke down because individual colonies feared "a dangerous federal union" and contended that taxation by a common colonial government would be contrary to the "rights and privileges of Englishmen"[2]; and in 1765 when, wrote Jared Ingersoll, "Mr Grenville asked us if we could agree upon the several proportions each colony should raise, we told him 'no.'"[3] Grenville's natural deduction, in which he had been anticipated by others earlier in the century[4], was that, if the colonists could not agree to

[1] Asserted in the eighth of Dickinson's *Farmer's Letters* in 1768 (Morison, *Docs.* p. 49) and constantly repeated.

[2] J. T. Adams, *op. cit.* p. 232. The Albany "Plan of Union" is printed in W. MacDonald's *Select Charters*, 1914, pp. 253–7. "Long years afterwards Franklin said that the adoption of the Albany Plan would have prevented the American Revolution" (R. L. Schuyler, *Constitution of U.S.A.* p. 12).

[3] J. T. Adams, *op. cit.* pp. 232, 308, 330.

[4] G. L. Beer, *British Colonial Policy*, 1922, pp. 37–43.

tax themselves for their own defence, the tax must be imposed by the Imperial Parliament. It was the case of Hampden and Ship-money over again, with the colonists in Hampden's part, and Grenville in that of Charles I. If men would not vote supplies for their own defence, they must pay the taxes imposed by those responsible for their peace.

The Stamp Act and the Townshend duties, however, exemplified only one aspect of policies which looked to the imperial organization of the vast territories in the West which had now been acquired from France[1]. The American legend[2] that the colonies were taxed to pay Great Britain's debt is almost as persistent as the British legend that Grenville's predecessors did not read colonial despatches; but the colonies were expected to contribute towards the cost of this new imperial organization. Their conflicting claims to this north-west territory, and the diverse policies they pursued, had convinced the home government that the control of Indian affairs, of the fur trade, and of the new acquisitions, must be centralized under Great Britain's direction. Colonial discord thus invited British imperialism to intrude some further steps. The colonies saw them-

[1] C. W. Alvord, *The Mississippi Valley in British Politics*, I. 16.

[2] Repeated as late as 1897 in E. P. Powell's *Nullification and Secession*, p. 1. On the Grenville legends *see* Alvord, *op. cit.* I. 227 *n.*

selves threatened with British instead of French and Spanish encirclement, and they refused to pay the taxes designed to support the intrusion[1].

But the economy which this refusal imposed on the British government produced what the colonies thought another turn of the tyrannical screw. The imperial plan had been to station British garrisons along the Mississippi, outside colonial territory; but the cost consisted mainly in lengthy lines of transportation. To shorten the lines, the troops were brought nearer to the sea, where they appeared to the colonies as standing armies illegally kept in time of peace to overawe colonial assemblies[2]; and suspicion, when once aroused, spread like a noxious weed. The Quebec Act, so soothing to the French Canadians, became in the Declaration of Independence "an act of pretended legislation...for abolishing the free system of British laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for

[1] How far the intrusion was deliberate policy is as debateable as the real intentions of the colonists' leaders; but some American historians seem to have been over-indulgent to the innocence of some British statesmen. Most political groups contain members who see, and want to go, further than their colleagues. Their art is to use the blunders of opponents to lead their colleagues on.

[2] Alvord, I. 105, 112–21, 132–3, 162–4, 215–24, 241–50, 330.

introducing the same absolute rule into these colonies." The milder poison of Anglican prelacy was bad enough, and the Bishop of London's proposals for a colonial episcopate provoked Samuel Adams to write about "those tyrants in religion, bishops" and to declare that "what we have above everything else to fear is Popery."[1] It became a grievance when Great Britain proposed to pay the salaries of colonial governors and judges, for how could governors be made amenable or judges really independent unless they depended upon colonial legislatures?

The whole argument was a repetition of that between the Crown and the English Parliament in the seventeenth century[2]. The merging of all jurisdiction in the Crown and of all the mediaeval estates into one royal estate, which we now call the State, had consolidated, not merely the exercise of power, but grievances and resentment against it. So the development of imperial control in America through the conquest of Canada, the protection of natives, and the restraint of local anarchy concentrated

[1] J. T. Adams, *op. cit.* pp. 201, 359; S. E. Morison, *Documents*, p. 90 *n.*

[2] Compare, for instance, Charles I's attempts to secure permanent Tonnage and Poundage with the colonial governors' attempts to secure fixed salaries (J. T. Adams, pp. 132–7, and generally Evarts B. Greene, *The Provincial Governor*, 1898).

upon the imperial government all the discontent which had previously been distributed among the various representatives of law and order in the colonies. It was not that the government grew worse than it was before. American historians have often pointed out that the colonists had far more liberty than most Englishmen at home. It was simply that their government was ceasing to be their own colonial affair and was being drawn into a general government of the empire. The process was not confined to the thirteen colonies; and side by side with the Boston Acts of 1774 we must put not merely the Quebec Act of that year but the Irish legislation of the century and Lord North's India Regulating Act of 1773. Nor, perhaps, should we forget that foundation-stone of British empire which was laid by the Scottish Act of Union in 1707. Finally, Chatham had given a gigantic impulse to the empire, and in the last analysis he was more responsible for the consequences of imperialism in America than was Grenville or Charles Townshend.

The inevitable instrument of this imperial organization—since the Revolution of 1688—was the sovereignty of Parliament[1]. England could not have

[1] An important illustration of this sovereignty was the Act of 1719, which imposed on Ireland precisely the same doctrine of subordination to the British Parliament as was imposed on the American colonies by the Declaratory Act of 1766, and was resisted on the same grounds. See McIlwain,

continued free and yet have developed an empire, had the government of that empire remained vested in a Crown in Council that was not in Parliament. She had had trouble enough under the Tudors and Stuarts with a Crown claiming a supremacy over the Church uncontrolled by Parliament. Nor could the Crown have created an empire without the supplies which only Parliament could provide. Parliamentary sovereignty had broken the bonds of Rome and destroyed the right divine of kings. Now it was menaced by colonial claims and charters. It was a fundamental point with England to defend that sovereignty; it was equally fundamental for colonial self-government to deny it; and it has been truly said that "the American Revolution meant the rejection by America of what was and is the theory of the British constitution," though even Walpole[1] had deprecated

op. cit. pp. 35, 50–1. The Irish argument had been expressed in *A Declaration* circulated anonymously in 1644 but not published till 1749. Prof. McIlwain attributes it to the Irish Chancellor, Richard Bolton, and describes it as "the first exposition of the American constitutional doctrine on parliamentary authority outside the realm." The arguments are similar to those in the more famous *Case of Ireland* (1698) by William Molyneux and in Swift's *Drapier's Letters*.

[1] R. G. Adams, *Political Ideas*, p. 126. Hist. MSS. Comm. *Egmont MSS.* I. 157, "I found," writes Percival in his diary, 10 March, 1730–1, "he was not willing the Colonies should depend on Parliament for their settlement, but merely on the Crown. He objected that the King's prerogative would be subjected thereby to Parliament." I doubt whether "settle-

the idea that the colonies were dependent "for their settlement" on Parliament. The colonists, in fact, set themselves the task of enumerating the powers of a sovereign Parliament, just as Parliament itself had enumerated the powers of Stuart monarchy. It was as much presumption and high contempt, said James I, to dispute what a king could do as it was atheism and blasphemy to dispute what God could do[1]; and the sovereign Parliament could not abide colonial enumeration of its powers.

It does not, however, follow that because two views are different, one must be right and the other wrong. Both may be wrong, both may be right. For as Maitland and Bryce[2] have both pointed out, there is no absolute norm in politics. We may think nowadays that democracy is normal, but who shall say what is normal or abnormal in democracy? Nor does the sovereignty of Parliament really express the issue, and the attempt of the colonists to set up an antithesis between the sovereignty of Parliament and the sovereignty of the Crown was a fallacious and a transitory expedient. It was a strange argument,

ment" includes "government," and Walpole's objection may be less significant than it seems (cf. Egerton, *The American Revolution*, 1923, pp. 5–6; *History*, IX. 251).

[1] *Political Works*, ed. McIlwain, p. 333.

[2] Maitland, *Collected Papers*, III. 297–302; Bryce in *Hist. Association Leaflets*, No. 4 (1907), p. 4, "there is not such a thing as a normal world."

said a member of parliament in another connexion, that independence "was less injured by being governed under the more arbitrary principle of edicts from the King in Council than under the constitutional protection of a British Parliament."[1] But a famous saying of Machiavelli, to the effect that of all servitudes the hardest is subjection to a republic, has been modernized into the maxim that a democracy pretending to sovereignty over other democracies is the most intolerable of oppressions[2]; and it seems true that a people would rather be the co-ordinate subjects of a common despot than the subordinate subjects of another people. It was not the rule of an Emperor which broke up the Habsburg dominions, but the domination of Germans and Magyars over Czecho-Slovaks and Jugo-Slavs.

Nevertheless, the reason why the colonists appealed to royal charters, asserted that "the king had an absolute right in himself to dispose of the lands,"[3] stressed the fact that their bills were laid before the Privy Council and not before the House of Commons, and divorced the "King of England" from the "English Crown," was not affection for kingly sovereignty or for government by the Privy Council.

[1] C. H. McIlwain, *Amer. Rev.* 1923, p. 85.

[2] *Ibid.* p. vii; F. S. Oliver, *Alexander Hamilton*, p. 476.

[3] McIlwain, *Amer. Revolution*, 1923, p. 135, quoting the answer of the Massachusetts Assembly to Governor Hutchinson.

They continued to call George III the "best of Kings" long after they had come to regard the Lords and Commons as the worst of Parliaments[1]. But they atoned for their earlier compliments to George in the comprehensive indictment they drew against him[2] in the Declaration of Independence as a "prince whose character is marked by every act which may define a tyrant"; and the real cause for preferring royal to parliamentary sovereignty was the fact that since 1688 royal authority had become an easy yoke, while Parliament had developed a heavy hand. The colonies had been as anxious to get rid of James II in 1688 as they were to be free from Parliament in 1776. Their fundamental objection was to any sovereignty vested in any State whatever, even in their own. Americans may be defined as that part of the English-speaking world which has instinctively revolted against the doctrine of the sovereignty of the State and has, not quite successfully, striven to maintain that attitude from the time of the Pilgrim Fathers to the present day. The

[1] *Ibid.* p. 3.

[2] Prof. Carl Becker has commented on the singular omission of all reference to Parliament from the Declaration of Independence (*The Decl. of Independence*, 1922, pp. 18–20). The liberal Europe, to which alone the Revolutionists could appeal, would find it easier to understand a philippic against a king than one against a Parliament, and a case based on the law of nature than one based on the rights of Englishmen.

colonists not only denied the right of a representative body to tax those who were not, but those who were, represented, and asserted fundamental rights with which no legislature, however democratic or representative, could interfere[1].

It is this denial of all sovereignty which gives its profound and permanent interest to the American Revolution. The Pilgrim Fathers crossed the Atlantic to escape from sovereign power; Washington called it a "monster"; the Professor of American History at Oxford calls it a "bugaboo"—you may find the word in the Oxford English Dictionary and in mediaeval French—and Mr Lansing writes of the Peace Conference that "nine-tenths of all international difficulties arise out of the problem of sovereignty and the so-called sovereign state."[2] Upon its tacit repudiation depend the League of Nations and the unity of the British Empire. The Irish Treaty of 1922, claims an American scholar, "gives Ireland just the place which the Americans wanted in 1774," and this eighteenth century American mentality "grasped the possibilities of the twentieth century realization."[3] These are American ideas, but they were English before they were American. They

[1] See above, p. 25, and McIlwain, *op. cit.* p. 20.

[2] S. E. Morison, *Documents*, p. xxxv; R. G. Adams, *Pol. Ideas*, p. 11.

[3] R. G. Adams, *ibid.* pp. 61, 103.

were part of that mediaeval panoply of thought with which, including the natural equality of man, the view of taxes as grants, the law of nature and of God, the colonists combated the sovereignty of Parliament. They had taken these ideas with them when they shook the dust of England off their feet; indeed they left their country in order that they might cleave to these convictions. And now they come back, bringing with them these and other sheaves, to reconvert us to the views which we have held long since but lost awhile. "Congress," says Prof. McIlwain, "in 1774 really furnished the formula... under which the British Empire of self-governing colonies has become possible, an empire absolutely unique in its working and its structure in the history of the world."[1]

It is hard to live without a superstition; and England seemed in the sixteenth century to discard the superstition of the Church only to embrace the superstition of the State, and to eradicate an infallible Papacy only to establish an omni-competent Parliament. The Act of Supremacy was indeed a conveyance, a *translatio imperii*[2]; and critics derided in the days of Henry VIII "this thirteenth article of our creed, added of late, that Parliament cannot err."[3]

1 *Op. cit.* p. 117.
2 *Letters and Papers of Henry VIII*, XIV. pt II. No. 400.
3 *Ibid.* XX. pt II. p. 345.

The Crown in Parliament took over, in fact, the papal jurisdiction, which was the only sovereignty in the Middle Ages, and even so was limited by the law of God. In secular realms, the prince had been master of no more than the positive law, which was supposed to be effective only in the minor spheres not covered by the laws of nature and of God; and Adams gave transatlantic utterance to these mediaeval ideas when he said, "you have rights antecedent to all earthly government; rights that cannot be repealed or restrained by human laws; rights derived from the great legislator of the universe."[1]

But Machiavelli had released government from the restraint of law, and Hobbes had logically demonstrated that sovereignty might neither be divided nor restrained[2]. The highest doctrine of the State was held by those who hated most the superstition of the Church; and the seed of the American Revolution was planted by the Puritan Revolution in England, when in 1649, after executing the king and abolishing monarchy and the House of Lords,

[1] Quoted in E. P. Powell, *Nullification and Secession*, p. 351. He gives no reference, attributes the words to John Adams, and says they were uttered in "1768 in the first Continental Congress"! They read more like Samuel Adams (cf. R. G. Adams, *Pol. Ideas*, p. 120).

[2] Lord Acton, *On the study of History*, p. 8; Hobbes, *Leviathan*, caps. xix and xxix.

Parliament enacted that "the people of England, and of all the Dominions and Territories thereunto belonging...shall henceforth be governed, as a Commonwealth and Free State, by the supreme Authority of this Nation, the Representatives of the People in Parliament."[1] These were the theoretical foundations of the modern British State, and law became its command. There were ethical principles and moral codes outside it, and men talk of a higher law than that of the State, just as they talk of the law of gravitation or the law of diminishing returns. How far these moral, economic, and physical "laws" limit or can be limited by the "laws" of the State is a question which sums up most of the problems of politics. The American Revolution was due to the fact that the State had grown to sovereignty in Great Britain, whereas in America limitations as potent as those of the Middle Ages had prevented anything more than a rudimentary development. It was left to the nineteenth century to determine whether the United States were a State at all.

It has also been left to the twentieth to decide whether the British Empire is one or seven States; and that problem marks one of the spheres in which the two countries have come nearer together since the schism of 1776. Each has moved towards the

[1] Firth and Rait, *Acts and Ordinances of the Interregnum*, II. 122; McIlwain, *Amer. Revol.* 1923, pp. 20–23.

other, but England has moved the more. She stands no longer at the pass to which sovereignty brought her government in 1769, when by a bare majority of 5 to 4 Chatham's derelict and distracted Cabinet decided to retain Townshend's tax on tea as a proof of the omnicompetence of Parliament[1]. The disappearance of that tea in Boston Harbour was the burial, somewhat indecently celebrated for a funeral service, of the sovereignty of the State so far as America was concerned. Even in England the doctrine had not won complete acceptance. Chief-Justice Coke, the high priest of the common law who is naturally more venerated in America than in England[2], had said, "Magna Carta is such a fellow that he will have no sovereign"; and chief-justices down to Lord Camden at the time of the American Revolution gave utterance to *obiter dicta* or political speeches which still set the law of nature and the common law above a parliamentary statute[3]. Had not rights been declared in 1688 before they were made law by an Act of Parliament? But the tide in the eighteenth century was running strongly in the direction of sovereignty; and the prevailing English

[1] Alvord, *op. cit.* II. 37.

[2] Jefferson "turned law students from Blackstone's toryism to *Coke on Littleton*" (*Encyc. Brit.* 11th ed. XV. 304*n.*).

[3] McIlwain, *High Court of Parliament*, 1910, p. 83; my *Evolution of Parliament*, p. 179; R. G. Adams, *Pol. Ideas*, pp. 129–32.

theory was that of Lord Mansfield when he stated that "the British legislature, as to the power of making laws, represents the whole British Empire, and has authority to bind any part and every subject without the least distinction, whether such subjects have the right to vote, or whether the law binds places within the realm or without."[1]

Lord Mansfield counts as a Tory, but this was the radicalism of 1649 which the conservative colonists determined to resist; and the whole world has been filled with the argument. It is not so much the historian's business to say which, if either party, was right or wrong, as to explain how and why the parties came to disagree. But it is no answer to the colonists' case to say that before the Stamp Act they had acquiesced in taxation, both internal and external, by the British Parliament[2], and had recognized its supremacy. "I find," wrote William Knox in 1765, "almost as many instances of parliament's exercising supreme legislative jurisdiction over the colonies as there have been sessions of parliament since the first settlement of America by British subjects."[3] There

[1] R. G. Adams, *Pol. Ideas*, p. 24.

[2] J. T. Adams, *Rev. New England*, pp. 313–15.

[3] William Knox, *The Claims of the Colonies...examined*, quoted in R. G. Adams, p. 17 *n.* Knox was, of course, writing in Grenville's interest; see *Dict. Nat. Biog.* xxxi. 336–7. John Adams naturally traversed nearly all Knox's statements; see Adams, *Works*, iv. 47–50.

are logicians who think it absurd of the camel, having borne so many similar straws, to break down under the last. But as Tagore has said, "a mind all logic is like a knife all blade; it cuts the hand of him who uses it." Men do not revolt against a theory but against its accumulated applications; and strict logic never made a revolution or a government. Nor is the burden necessarily the cause of the break. The animal may get restive for other reasons; and the intruding imperialism of Great Britain encountered a growth of colonial independence which was accelerated but not created by the Stamp Act and Tea Duties.

The American colonies, like all growing communities—and classes—were becoming increasingly self-conscious and self-centred, though the feelings and interests radiating from that centre embraced ever wider spheres and brought them into closer and sharper contact with external bodies. As early as 1703 Governor Dudley of Massachusetts denounced his council as "Commonwealth men"; and Usher, Lieutenant-Governor of New Hampshire, declared that the country was "for setting up commonwealth government," and that it was "high time to curb it." In 1723 the Lords of Trade accused Massachusetts of aiming at independence, and recommended parliamentary intervention as the only remedy[1]. The

[1] *Cal. of Colonial State Papers*, America and West Indies, 1702–3, pp. xiii–xiv, 19; J. T. Adams, *op. cit.* p. 131.

story of this growing political consciousness has recently been told in graphic detail in *Revolutionary New England*[1]; and it was revolutionary in the sense that new classes were coming into politics and claiming their share in a self-determination which had previously been monopolized by colonial merchants, lawyers, and divines. But this revolutionary uprising of town-meetings against houses of representatives, and of houses against the governors' councils, was gradually merged in combined and conservative resistance to British sovereignty, only to resume its original shape after Independence in movements like Shays' rebellion against American governments. The Sons of Liberty were poles removed from the Fathers of the American constitution, but they made common cause in 1776 against the British interpretation of the British constitution.

Their theory was essentially mediaeval. "As oft," wrote the Lancastrian Chief-Justice, "as such a king dothe anything against the law of God or against the law of nature, he dothe wrong"[2]; and the Yorkist chancellor, in opening Parliament in 1468, put the "positive law" after the law of God and the law of nature[3]. It is, perhaps, significant that American historians have contributed more to the scientific study

1 By James Truslow Adams.
2 Fortescue, *Governance of England*, ed. Plummer, p. 117.
3 *Rotuli Parliamentorum*, v. 622 *b*.

of mediaeval, than of any other period of English, history. Americans themselves were English then; mediaeval English history is more theirs than the periods in which they had a separate history of their own; and instinctive memory has much to do with political thought and with the writing of history. In those middle ages there was no political sovereignty, nor taxation by a sovereign parliament. Taxes were granted in parliament, but by the several estates[1]. Classes not present in parliament might be heavily mulcted by landlords and other authorities, but they were not taxed in parliament. Now, estate is the same word as state; we see the identity best in the States-General which became the State of the United Netherlands, as I suppose the United States in congress have become an American State. In England the estates of the realm were merged by the Crown in Parliament into one royal estate, of which expression the State is but a truncated form[2]. In France, where they have one word *état* for estate and state, the royal predominance was even more marked, and *L'État, c'est moi* is the phrase which Voltaire ascribes to Louis XIV. As these classes or estates merged into national unities, the class-differentiation merged into a national differentiation, and

[1] See my *Evolution of Parliament*, pp. 142–3, 342–3.

[2] *Ibid.* pp. 232–3. Bacon writes "Of kingdoms and Estates" where we should say "States."

the State became a territorial rather than a social constitution.

In America, by a similar process of reasoning, the colony claimed to be a "perfect state" because it had a "complete legislature within itself"[1]; and the States in America were primarily the legislatures of the States. But there were not, and never had been, American estates in the British Parliament[2]. They could not therefore tax themselves there, still less be taxed by the British Parliament in their absence, and they had no wish to be represented in it. The cry of "no taxation without representation" was a repudiation of taxation and not a demand for representation; and, as soon as British statesmen began to discuss the possibilities of colonial representation in Parlia-

[1] W. MacDonald, *Select Charters*, p. 375; Madison, *Works*, ed. Hunt, VI. 373; R. G. Adams, *op. cit.* p. 50. Paterson, in introducing the "New Jersey plan" to the Federal Convention said: "If the sovereignty of the States is to be maintained, the representatives must be drawn immediately from the States, not from the people"; and later on he contrasts "the States" with the "individual" (Morison, *Documents*, pp. 250–1; cf. R. L. Schuyler, *Amer. Constit.* pp. 94–5). "States" seems to mean Estates or the Legislatures; and Madison called election by the Legislatures election by the "States" (Morison, p. 338). The change to the more democratic idea that the State consists of the people themselves and not of their representatives is illustrated by the 17th Amendment to the Constitution which substituted popular election of Senators for election by State legislatures.

[2] G. L. Beer, *British Colonial Policy*, p. 41; John Adams, *Novanglus*, No. VII in Morison, *Documents*, p. 132.

ment, the colonists seized every opportunity of asserting that "from their local and other circumstances they cannot properly be represented in the British Parliament."[1] They wanted the old mediaeval plan by which each estate or state made its own grant and was bound by that alone. They had refused in 1754 to be bound even by a colonial "States-General," and after Independence it was only with reluctance that the individual States conceded taxing powers to themselves in Congress[2]. They may well have thought that, just as English Estates in parliament had become a sovereign Parliament, so American States in congress might become a sovereign Congress.

As with taxation, so with the law and the constitution, the colonists wanted a mediaeval restora-

[1] This point was first put by Samuel Adams in the Massachusetts' Circular Letter of Feb. 1768; and he put it more strongly, saying, "cannot, by any possibility be represented... and it will forever be impracticable that they should be equally represented there, and consequently not at all" (MacDonald, *Select Charters*, p. 332). See also Morison, *op. cit.* pp. 33, 120; J. T. Adams, *Rev. New England*, pp. 331, 353, 409; my art. in *History*, Oct. 1918, III. 162–4; and note appended to this chapter.

[2] Cf. Patrick Henry's denunciation of Congress's "power of direct taxation which suspends our Bill of Rights" (S. E. Morison, *Documents*, p. 330). The Supreme Court eventually decided that an income tax imposed by Congress was unconstitutional, and it was only made constitutional by the 16th Amendment adopted in 1913.

tion. John Adams thought that an Act of Parliament could be unconstitutional, and that no man could under the British constitution be deprived of his property without due process of law or his own consent. The common law of England was what it was before the colonists emigrated. They had no part nor lot in, nor responsibility for, the statutory sovereignty which Parliament had since developed behind their backs. They were bound by their charters not to make laws repugnant to the law of England as it stood at the date of the charters and not as it might be made by a British Parliament. The Revolution of 1688 had, contended John Adams, never been accepted by the colonies. That settlement was therefore still unconstitutional so far as they were concerned; and the powers which Parliament claimed to exercise in virtue of it over the colonies were "usurped." The logical weakness of the argument was that it disclaimed Parliamentary jurisdiction but claimed the benefit of all the limitations Parliament had, by the Act of Succession and other legislation, imposed upon the Crown; laid stress upon the colonists' rights as Englishmen, but denied that colonists and Englishmen were "one people."[1]

The strength of the case lay in its contention that common law was binding unless amended by common consent of all the estates or states. Such was

[1] Cf. McIlwain, *Amer. Revol.* pp. 11, 18–19.

the American view of the "Constitution." As a concession to the rareness of unanimity and as a compromise with Hamilton's centralization, the Articles of Confederation, which required unanimity, were amended by the Constitution which admitted that only three-quarters of the States need concur to alter the constitution and make fresh common law; but the principle is the same. The foundation on which the Americans built their constitution is the rock on which the colonists had split the constitution of the British Empire. For a constitution under which one estate, like the Commons, or one state like Great Britain, might use the power of the Crown in Parliament to tax other estates, like peers and clergy, or other states, like the American colonies, without their consent, the colonies had no use[1]. The doctrine of sovereignty was stretched to breaking-point when, in the Stamp Act, "We the Commons of Great Britain in Parliament assembled" proceeded to give to the Crown revenue paid by Americans; and the schism really came when the colonists began in 1773 to think and write of England as "that nation" and "another people." They thought their ancestors had contracted out of Parliament when they "compacted" with the king; and they renounced

[1] McIlwain, *Amer. Revol.* p. 5: "The American Revolution seems to have been the outcome of a collision of two mutually incompatible interpretations of the British constitution."

the king himself when they could not extricate the Crown from Parliament. They reduced his "realm" to England to make another for themselves[1].

The colonies had received their charters from kings and not from Parliament, and James I had asserted that it was not fitting that Parliament should make laws for them[2]. They naturally translated these charters into charters of liberty exempting them from the jurisdiction of Parliament, and into solemn compacts with the king in person when a social contract was accepted as the universal origin of governments; and they assumed, what Abraham Lincoln denied, that one party to the compact could decide whether the other had broken it. England, of course, asserted that charters were grants, not compacts; it would, indeed, have plunged into a strange welter of anarchy if it had admitted that each of the thousand and one charters, granted by the Crown to bodies ranging from a petty borough to the East India Company, was a compact, which the other contracting party could declare that the Crown had broken. The "compact" theory of charters further assumed that the colonists had, before the charters were granted, the sovereign status they asserted by

[1] McIlwain, pp. 116, 135, 137, 139–43. For the weakness of charters as a defence against royal or parliamentary action, see *ibid.* pp. 178–84.

[2] R G. Adams, *Pol. Ideas*, p. 98.

the Declaration of Independence; and in order to prevent a revolution in America there must have been a more radical revolution in England, which would have projected that country, too, back into the Middle Ages or forward into the twentieth century[1]. But misinterpretation of charters is as much an English as an American pastime. The misrepresentation of Magna Carta is still the most popular form of English historical exercise; and when *Rule, Britannia* itself alleged a charter of the land that was sung by guardian angels, American colonists might well adduce royal charters for which there was better documentary evidence.

The trouble, as Maitland has pointed out, was that "the State that Englishmen knew was a singularly unicellular state, and at a critical time they were not too well equipped with tried and traditional thoughts which would meet the case of...some

[1] It is not very profitable to argue what is and what is not "revolutionary"; but I should be disposed to see a revolutionary element in Prof. McIlwain's contention that the contest was "solely between the Americans and Parliament. The Crown was not involved" (pp. 5–6). Every Act of Parliament was an Act of the Crown in Parliament, and still is. Even taxation has come under this rule since the mediaeval practice of granting taxes was clothed in legislative form; though I should admit that this English change was as "revolutionary" as the American resistance to its implications of sovereignty. But it was impossible in the eighteenth century to attack the power of Parliament without affecting the Crown.

communities, commonwealths, corporations in America... which became States and United States."[1] Nevertheless the British Empire, which demonstrated its unity in the war, counts as seven States in the League of Nations. It appears to have grown multicellular to some purpose. If the Empire has now grasped that lesson of the American Revolution, the Great Republic would seem to have learnt something—I dare not call it wisdom—from the eighteenth century empire when in the domestic sphere of corporation law, to quote Maitland again, "a Sovereign People has loved to deck itself in the purple of the Byzantine Basileus and the triple crown of the Roman Pontiff"[2]; or when, in the less recondite terms of world-power its Secretary of State declared in 1896 that "to-day the United States is practically sovereign on this continent and its fiat is law"[3]; when American democracy not merely pretends to sovereignty, but exerts a vigorous control over a Filippino people, and Congress stands "substantially in the same relation to its dependencies as

[1] *Gierke*, p. x. Maitland had the lowest opinion of Austin's views on the sovereign State. His few lines on him in his *Encycl. Brit.* article on the history of English law "amount," he says, "to J. A. = 0°.... I don't want to be unjust, but I cannot see exactly where his greatness comes in" (Fisher, *F. W. Maitland*, pp. 117, 120–1).

[2] *Gierke*, pp. xxxi–ii.

[3] Mr Olney in A. B. Hart, *American Foreign Policy*, p. 222

the King in Council did to the American colonies, though possessing, in addition, full powers of legislation and execution"; when whole treatises are written to prove that "America can perform the functions of an Imperial State toward a dependent State"[1]; and a Secretary of the Navy demands the immediate annexation of the North Pole lest another Power should anticipate its seizure.

It may not be wise for either the pot or the kettle to call the other black; but it would be even less correct to call it white. That fabulous argument probably arose because neither the pot nor the kettle possessed a looking-glass. A defect of nations is that they cannot see themselves as others see them; and the use of American history for English people, and of English history for American people, is to provide that mirror of truth. The more they change, the more they grow alike. In the whole range of our differences of opinion, whether on matters like blockade, freedom of the seas, right of search, continuous voyage, the limit of territorial waters, or on problems like union and secession, the treatment of native races, the government of dependencies, there is hardly a British precedent to which America has not appealed, nor an American principle which Great Britain has not invoked. In those contests Great Britain has

[1] Alpheus H. Snow, *The Administration of Dependencies*, 1902, pp. 562, 603.

conceded much. America may have conceded no less. We do not need

the lore,
Of nicely calculated less or more.

What has been surrendered has been bad or doubtful principle; what has been maintained is good. Whichever country has given up the more, has rendered the greater service to the common cause, not merely of English-speaking peoples, but of humanity as a whole; and the progress of the world, particularly in the sphere of international relations, has for a hundred years consisted mainly in what the British Empire and the United States have conceded to one another.

NOTE TO CHAPTER I

Taxation and Representation

THE jungle of argument over this question remains so dense that any attempt to effect the slightest clearance may be useful. Since both parties claimed to be true exponents of English law and history the matter can only be settled by reference to that law and history; and no understanding is possible unless it is realized that representation in the English Parliament was not originally grounded on any right whatever but on feudal obligation[1]. Parliament was the king's high court, and feudal law required that his tenants should do suit and service at the lord's court in return for the lands they held of him, if and when they were summoned. On the other

[1] See my *Evolution of Parliament*, chapters IV–VI.

hand, the king like other feudal lords could not exact more than the recognized feudal dues without consent, and it was more convenient that consent should be given by representatives of communities than by each individual separately. For the purposes of levying taxation—as distinct from feudal dues—those who would pay it had a right to be represented in Parliament. The same principle held and holds good in the judicial system. Jurors were bound to do suit and service in the king's courts because they were his tenants, and they in their turn had a right to be tried by a jury representing their peers, equals, or members of the same estate.

But no one had or has a *right* to serve on a jury, to elect a jury, or even to be represented on a jury in any other sense than that the jurors summoned by the Crown belonged to the same estate as himself. So with parliamentary taxation and representation. A borough, for instance, could only be taxed in Parliament by the grant or with the consent of borough-representatives, just as a freeman could only be tried by a jury of equals; and borough representatives were summoned to Parliament by the king for the purpose of giving that consent. But the individual borough had no more *right* to receive a summons to Parliament than an individual litigant to serve on the jury which was to try his case. It might be required by the king to send representatives, and after the close of the middle ages this obligation came to be regarded as a privilege. But the taxation of all boroughs was no more invalid because only some boroughs were summoned to give consent than trial by peers was invalid because only some peers were summoned to serve on the jury. In France it was even contended that the presence (and presumably the consent) of one peer in the royal court was sufficient to give it jurisdiction; in England the practice was to summon one more than half the existing number of peers. But no one

contended that all boroughs must be summoned to grant taxation any more than that all equals must be summoned to serve on a jury. It was sufficient to be taxed as well as tried by representatives of one's own estate. The self-government of the middle ages was based on estates rather than on localities or on individuals.

The English view, therefore, was that colonists might be taxed in Parliament because, to whatever estate the individual colonist belonged, there were representatives of his estate in Parliament. Their lands were granted them in their charters to be held as detached parts of English manors for that purpose. The colonists claimed that they were Englishmen, and English common law knew nothing of Americans. But, in spite of their claim to have lost nothing of their Englishry by emigration, the colonists were soon conscious of having gained thereby an American distinction which bulked larger and larger in their eyes. The soil and the *genius loci* gripped them; and the circumstance that two men might be freeholders, which satisfied the mediaeval idea of making them members of the same estate, became insignificant compared with the fact that one remained English while the other became American. Parliament ceased to represent, and therefore to be entitled to tax, the colonists when they ceased to regard themselves as belonging to English estates. The whole argument is simply an illustration and expression of the general change from the mediaeval conception of social estates to the modern conception of territorial national States. All separate self-government arises out of separate self-consciousness; and the separate self-consciousness of the American colonists, which led them to describe the English as "another people" was incompatible alike with their claim to have remained English and with the English claim to tax them as though they were represented by English estates.

CHAPTER II

Conservatism

THE aggressive development of the sovereignty of Parliament in the eighteenth century put the American colonies on the defensive; and their agitation against the Stamp Act, the Townshend duties, and the Boston Acts was a conservative protest against parliamentary statutes which, if they enunciated no novel principle, assuredly proposed to enforce a modern interpretation of sovereignty by measures to which the colonists were not accustomed. The war which followed is properly called the War of American Independence; but it was not fought to establish any principle of individual liberty or social equality. If it had been, it could hardly have resulted in the retention of slavery as part of the law of the constitution or left the franchise in some of the colonies narrower than it had been before[1]. Eleven out of twelve Britons were taxed without being represented in the British Parliament; but a large proportion of colonists were also taxed by colonial

[1] S. E. Morison, *Documents*, p. xl, "the franchise [in the Massachusetts Constitution of 1780] was more restricted than under the colonial government, though not so much as in Virginia."

legislatures without any representation there. That made little difference to their enthusiasm for the American Revolution, because the conduct of George III's ministers was an offence, not to individual liberty, but to the growing sense of American corporate dignity and independence.

The reaction against Parliamentary sovereignty had, indeed, led the colonists to seek as strange allies in argument as the Bourbons were in arms. There was a curious anomaly in an army of the *ancien régime* appearing in the New World to assist insurgents, some of whom asserted popery to be what they had most to fear, and made a particular grievance of the retention of the Roman Catholic religion and French law among French Canadians. But that anomaly was hardly stranger than John Adams' argumentative appeal to the "immense genius, universal learning, deep insight into the laws and constitution of England" of Francis Bacon in support of colonial dependence upon the Privy Council, "a dependence founded upon the principles of religion, of liberty, and of law," against the "slavish and unaccountable" dependence on Parliament[1]. For Bacon had urged that the government of a colony should be in the hands of a single person, assisted by a small council which should consist of nobility and gentry

[1] John Adams in Morison, *op. cit.* p. 113.

rather than merchants, and should have a commission to execute martial law[1].

Such arguments, used though they were to meet a particular and transient object, illustrate nevertheless the persistent appeal to their English inheritance made by the colonists before and long after the Revolution. The intensely conservative nature of that appeal is illustrated by the latest argument for the constitutional character of the colonists' claims. "The Crown was not involved." Their quarrel was with a Revolution. One of the first Acts of the first Republican government of England in 1649 declared England and all its dominions a Commonwealth and Free State to be governed by Parliament "without any king or House of Lords."[2] The doctrine of John Adams and Prof. McIlwain is the royalist doctrine of Charles I; and the trouble of the conservative colonists was with a revolutionary

[1] Essay *Of Plantations.*

[2] McIlwain, *op. cit.* p. 22, "this novel declaration, this tremendous innovation, includes all that the Americans protested against from 1765 to 1776." So John Dickinson wrote in 1774: "A dependence on the crown and parliament of Great Britain is a novelty—a dreadful novelty" (*ibid.* p. 23 *n.*); and Prof. McIlwain contends, soundly enough from the strictly constitutional point of view, that the Long Parliament had since 1642 "exercised powers that were wholly unprecedented and entirely illegal" (*ibid.* p. 25). The doctrine, against which the colonists contended, was enunciated in 1643 by Prynne in his *Soveraigne Power of Parliaments and Kingdoms.*

principle, asserted alike by the English Commonwealth in 1649, by the French Republic in 1793, and by the United States in 1861, that it was one and indivisible. So, too, down to the Civil War it was argued that slavery had been part of the common law of England and of the birthright of the colonists[1].

This continuity, in spite of the breach in 1776, helps to explain the conservatism which has been one of the principal factors in American history. It has continually surprised Englishmen who assumed that, because the colonists determined to govern themselves in their own way, and made what is called a revolution in order to get it, that way was necessarily the road to political instability if not to social disruption. The Revolution was regarded as a sort of original sin which permanently stamped on Americans the characteristics of a revolutionary people. He could not forget, wrote Lord Malmesbury in 1803, that they were revolted subjects[2]. But Macaulay's pessimistic prognostication that America's "purely democratic institutions" would "sooner or later

[1] Judah P. Benjamin in Powell, *Nullification*, pp. 380–5. For Benjamin's singular career see *Dict. Nat. Biogr.* He was debarred from holding office after the Civil War and retired to England, where, says Prof. Dicey, his "career as a lawyer excited great and just admiration.... I know it was reported that there was some idea of placing him on the Bench" (J. F. Rhodes, *Hist. U.S.A.* v. 480–1, 608).

[2] *Diaries and Correspondence*, ed. 1844, IV. 203.

destroy liberty or civilisation, or both," because "the American Constitution is all sail and no anchor" is one of the most infelicitous prophecies any historian ever made[1]; and English historians, it must be confessed, have not been happy in their American forecasts. In 1863 Freeman published a "History of Federal Government from the Foundation of the Achaian League to the Disruption of the United States, vol. I." No more volumes appeared. It was Freeman's history and not the United States that suffered disruption; and when in 1893 a new edition appeared, it came out with the more accurate but less prophetic title of a "History of Federal Government in Greece and Italy."[2]

Macaulay's prophecy was based on a complete misapprehension of the American character and Constitution. It also betrayed a misjudgement of human nature. It assumed that men are by nature radical or revolutionary, that the only circumstance that prevents them from changing is lack of power to change, and that therefore the American people,

[1] J. M. Beck, *American Constitution*, p. 150.

[2] The reference to the disruption of the United States is omitted from the title as given in the *Dict. Nat. Biogr.* and in Dean Stephens' *Life and Letters* of Freeman (see *Bulletin of the Institute of Historical Research*, II. 28 *a*). For Freeman's recantation see his *Impressions of the United States*, 1883, pp. 281–3. Carlyle was little more fortunate than Freeman or Macaulay (see Froude, *Carlyle's Life in London*, II. 266).

having secured a popular form of government, would always be changing—on the theory that man never knows what he wants but will never be happy till he gets it. We might argue on the other hand that it requires a good deal of education to make a man into a radical, and a good deal of poverty, hardship, and oppression to turn him into a revolutionary. Three centuries ago Sully, the great minister of Henry IV of France, had noted that men do not rebel out of eagerness to attack but from impatience of suffering; and Burke had concurred in the judgment[1].

American prosperity has been sufficiently obvious, tested by European standards, yet American conservatism continued to be a cause of surprise; and an eminent English publicist began a London letter to the New York *Nation* in 1880 by quoting a recently published remark that "an English radical is much struck with the conservatism of the American people," and by agreeing that the observation "represents the impression which the United States must have made upon hundreds of English visitors."[2] His general explanation was that "experience no less than theory proves that it is with people as with children: what they are allowed to do they often do

[1] *Mémoires*, ed. 1822, I. 227; Burke, *Select Works*, ed. Payne, I. 7.

[2] Prof. A. V. Dicey in *New York Nation*, March, 1880, reprinted in Pollak, *Fifty Years of Idealism*, p. 309.

not care to do at all; and a democracy with uncontrolled power to change everything, is constantly found indisposed to alter anything." In other words, the Americans, having secured what they wanted in their own independence and a Constitution of their own making, naturally became conservative and content. The fact that, after the original Constitution and twelve more or less consequential Amendments had been adopted by 1804, not a syllable in its text was changed for sixty years, during which European countries passed from one revolution to another and even England was brought to the verge of it in 1832, is sufficient evidence of the constitutional conservatism of the United States, although the fact that some 1700 amendments were proposed argues no lack of individual inventiveness.

Contentment is, however, an incomplete explanation of this constitutional conservatism. Another and probably a more fundamental cause is to be found in the boundless opportunities for self-expression which the American people found in other fields than politics. Conservatism dominated there because inventive energy, ambition, discontent, and sometimes first class brains, became engrossed in business and in pioneering, and left politics to a vicarious and a professional class. Instead of lining barricades, the dissatisfied American took to clearing forests; a people has little temptation to revolt where

it can get land, the common basis of all conservatism, almost for the asking; and, by giving the land to those who asked, the American government broadened the basis, if it did not lay the foundations, of American individualism. John Quincy Adams might unconsciously have made the Union socialist. "My own system of administration," he confessed[1], "which was to make the national domain the inexhaustible fund for progressive and unceasing internal improvement has failed." The distribution of that domain was a process which in older countries, less well-endowed with land to give away, could only have been achieved by a violent revolution. Nor did constitutional conservatism last for ever. Apart from the three slavery Amendments of 1865–70, the Constitution remained intact till 1913. But by that time land was getting comparatively scarce and dear; that outlet for restless energy was impeded if not choked; the town population exceeded the country population of the United States; and a century of constitutional conservatism came to a close.

It began with the Constitution which was hammered out amid reaction following on the War of Independence and the now familiar unsettlement, disorganization, and distress which war entails. It has often been noted that the orators of the American

[1] *Memoirs*, IX. 257–8, quoted in F. J. Turner, *The Frontier*, p. 26.

Revolution were not the architects of the American Constitution[1]; but even those orators had led a conservative revolution. There is little but the name in common between the two Anglo-Saxon Revolutions of 1688 and 1776 on the one hand, and the Revolutions of France and Russia on the other. Neither the English nor the American Revolution attempted that propaganda in other countries[2] which characterized the French Revolution of 1789 and the Russian Revolution of our own day. The former were purely changes in government and not in social order or organization. The Revolution of 1688 simply determined that Parliament and not the Stuarts should form the English government; similarly the Revolution of 1776 determined that in the former colonies the government should be American and not British. But it did not in the least determine the character of that American government, whether it should be a democracy, an aristocracy, or even an American monarchy; still less did it determine what that government, or rather those governments, should do.

[1] Cf. R. G. Adams, *op. cit.* pp. 86–7. There were only six men who signed both the Declaration of Independence and the Constitution (*ibid.* p. 134).

[2] John Adams, however, suggested that the Revolutionary committees of correspondence should pay attention to the grievances of Ireland (*Works*, IV. 168), and Benjamin Franklin dreamt of its inclusion in the Confederation (Snow, *Administration of Dependencies*, pp. 350–1).

For there was as yet no guarantee of union. A Confederacy had been formed to fight for independence; but it was for the independence of thirteen different colonies, and not for that of one united state[1]; and when the thirteen gave themselves a federal constitution, Samuel Adams thought the result of the War of Independence had merely been to substitute an American for a British set of tyrants[2]. There might have been one union of states, or two, or three; and there might have been none. Even in a single union some states might be slave and others free; or slavery might be abolished altogether. The independence of a nation commits it *ex hypothesi* to no particular form of government, and no particular organization of society; it simply means that it determines these things for itself. In America independence meant that thirteen colonies might severally choose whatever each thought best; and when Virginia spoke of "this commonwealth," it no more meant the commonwealth of the United States than it meant the commonwealth of the British Empire; it meant Virginia and nothing more.

No one could say in 1783 whether independence was national, or what national independence meant.

[1] This was Justice Chase's interpretation of the Declaration of Independence given in the Supreme Court in 1796 (R.L. Schuyler, *Const. U.S.A.* p. 17).

[2] R. G. Adams, *op. cit.* p. 89.

Each colony had a complete government with its executive, two legislative chambers, and a judicature; and ever since 1776 each has proclaimed that it has been, is, and always will be, a State. If a State, why not a nation? Benjamin Franklin noted in 1754 the confederacy of six nations of Indians as an example for the colonists to follow[1]; but if there were six Indian nations in one confederacy, why should there not be a dozen or more American nations in another? Independency seemed, in the anarchy after the War, likely to go even further than that. New England was addicted to ecclesiastical independency. But if the congregation was a church, why should not the township be a state? Virginia, it is true, with its episcopal established church, would have none of this; and in its Bill of Rights—adopted three weeks before the Declaration of Independence—it drew a significant distinction between its own and other people's independence. "The people," it declared, "have a right to a uniform government; and, therefore, no government separate from, or independent of, the government of Virginia, ought to be erected or established within the limits thereof."[2] The empire might be dismembered and sacrificed to the rights of man, in spite of the right of its people to a uniform government, but not the commonwealth of Virginia.

[1] J. T. Adams, *Revolutionary New England*, p. 215.
[2] Morison, *Documents*, p. 151.

Virginia was perhaps fortunate in not having counties so discontented as some in Pennsylvania, North Carolina, Massachusetts, Connecticut, and New Hampshire; for these counties brought against their colonial legislatures nearly every charge that the legislatures themselves soon levelled against George III and the Imperial Parliament. The discontented in North Carolina had in 1769 described themselves as "slaves to remorseless oppression" by the legislature and particularly by the lawyers of that colony, and demanded vote by ballot, more adequate representation, less taxation, and the submission of their grievances to the arbitrament of George III. When their demands were refused, they formed associations for "regulating public grievances," refused to pay taxes, offered armed resistance, and were defeated in a pitched battle by their fellow-colonists. In Massachusetts similar grievances, accentuated by the war, led in 1786 to open rebellion. "Will not people say," complained the town of Greenwich in native spelling, "altho' the Massachusets bost of their fine constitution, their government is such that itt devours their inhabitants?" They demanded paper money in which to pay their taxes and other obligations, while the county of Worcester denounced in more polished language "the elegance of eastern magnificence," the extravagance of governmental salaries, the exemption of

securities from taxation, and the too great advantage which creditors had of debtors by reason of the great scarcity of money[1].

These were grievances which formed part of the stock of American politics for a century and a half. They had given rise to disturbance in the old colonial period[2]; but now an independent government had to deal with them and with endless other disorders due to the inefficiency of the Continental Congress, its lack of authority, its dependence upon the disunited States, and its total inability to meet the interest on its domestic or foreign debt[3], to pay the soldiers of the war, or even to carry out the terms of peace which recognized its independence. The condition of affairs was a sad disillusionment to ardent believers in the abstract rights of man and the specific virtues of democracy and independence. "Our affairs," wrote John Jay to Washington in June, 1786, "seem to lead to some crisis, some revolution—something that I cannot foresee or conjecture. I am uneasy and apprehensive; more so than during the war.... Private rage for property suppresses public con-

[1] Morison, *Documents*, pp. 83–5, 208–12, 222; R. L. Schuyler, *Const. U.S.A.* pp. 59–65. On the "Regulator" movement, see Channing, *Hist. U.S.A.* III. 122.

[2] J. T. Adams, *Revolutionary New England*, pp. 65–6, 81, 95–7, 116–17, 125–8, 158–63.

[3] Henry Adams, *Hist.* ii. 339, 345; R. L. Schuyler, *op. cit.* pp. 36–7.

siderations, and personal rather than national interests have become the great objects of attention.... The mass of men are neither wise nor good." "We have probably had," replied Washington, "too good an opinion of human nature....What astonishing changes a few years are capable of producing. I am told that even respectable characters speak of a monarchical form of government without horror"; and again, he writes, "mankind, when left to themselves are unfit for their own government."[1]

Neither people nor things could be left to themselves in 1787, and the French *chargé d'affaires* in New York has told how a group of statesmen conspired to "despoil the people of the liberty of which they had made so bad a use."[2] Seizing the pretext of commercial disorganization, they persuaded the States to send delegates to a convention at Annapolis, little suspecting that the real motive was to effect a new organization of the Federal Government. Instead of discussing their programme of trade and commerce, the convention passed a resolution for another convention to amend the Articles of Confederation; and this second convention, instead of merely amending, drafted the Constitution of the United States. Similar schemes for evolving

[1] Morison, *Documents*, pp. 214–19.
[2] *Ibid.* pp. 220–4; R. L. Schuyler, *op. cit.* pp. 67–71.

without property and without principle with which our country like all others will in time abound."[1]

A decade earlier, on the eve of Independence, John Adams had written: "there must be decency and respect and veneration introduced for persons in authority, of every rank, or we are undone."[2] The opposition to the ministers of George III had now become the government of the United States, and the need for law and order had come home to roost. A like transition from one to the other side of the Speaker's chair in England induces a similar change in point of view, a diminished sense of freedom, and an increased feeling of responsibility. But the curve which has to be executed whenever a party in opposition comes into power becomes much sharper when a people, hitherto in revolt, are called upon to form an independent national government. When John Adams derived from Harrington[3], as Harrington derived it from Plato, that famous American ideal of a "government of laws and not of men,"[4] which

[1] Morison, *Documents*, pp. 238, 268, 273.

[2] *Ibid.* p. 147. [3] R. G. Adams, *Political Ideas*, p. 108.

[4] *Novanglus*, No. VII in Morison, *Documents*, p. 131: "If Aristotle, Livy, and Harrington knew what a republic was, the British constitution is much more like a republic than an empire. They define a republic to be a government of laws, and not of men." It really comes from Plato, *Laws*, IV. 715, where he "calls the rulers servants or ministers of the law"; and says that "the state in which the law is above the rulers... has every blessing which the gods can confer."

he incorporated in the constitution of Massachusetts, the men of whom he was thinking were British ministers. When the Convention of Philadelphia drew up the American Constitution, the men of whom it was thinking were the American people. The government was to be an instrument and not a man or men, the Constitution and not a parliamentary, legislative, or popular majority. "The voice of the people," declared Hamilton, "has been said to be the voice of God; but, however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changeable; they seldom judge or determine right." Gouverneur Morris "could not persuade himself that numbers would be a just rule at any price"; the "ignorant and the dependent" could not be trusted with "the public interest."

Madison, too, feared popular majorities. "In future times," he said, "a great majority of the people will not only be without landed, but any other sort of property. These will either combine under the influence of their common situation; in which case the rights of property and the public liberty will not be secure in their hands; or, what is more probable, they will become the tools of opulence and ambition, in which case there will be equal danger on another side." Morris wanted "an aristocratic body to keep down the turbulence of democracy." Madison as-

serted that "to secure private rights against majority factions" was one of the two great objects towards which their inquiries had been directed; and he argued in *The Federalist* that it was necessary to base the political system on the actual conditions of "natural inequality." The great merit of the new Constitution was, he contended, that it secured the rights of the minority against "the superior force of an interested and overbearing majority."[1]

This recognition of the actual conditions of "natural inequality" was a remarkable reaction from the first proposition of the Declaration of Independence that "all men are created equal." Madison, indeed, now criticized the British parliamentary system on the ground of the lowness of the qualification for the franchise in cities and boroughs; "for," he said, "it was in the boroughs and cities rather than the counties that bribery most prevailed, and the influence of the Crown on elections was most dangerously exerted."[2] There was a growing appreciation of the British Constitution—even that of the eighteenth century—now that the Americans had to frame one of their own that would really fulfil the functions of a government. Hamilton roundly declared: "I believe the British government forms the

[1] Morison, *Documents*, pp. 259, 270–1, 277; Beard, *The Supreme Court and the Constitution*, pp. 91, 94–5.

[2] Morison, *Documents*, p. 277.

best model the world ever produced, and such has been its progress in the minds of the many that this truth gradually gains ground."[1] "The authors of the Constitution," says Mr Beard[2], "for the most part had no quarrel with the system of class rule and the strong centralization of government which existed in England"; and one of Washington's correspondents wrote, in 1788[3], that many of the Massachusetts men of property and commerce, clergy, lawyers, and officers "would have been still more pleased with the new Constitution had it been more analogous to the British Constitution."

The analogies were striking enough. American government was to have such powers as it was thought George III and his Parliament legitimately possessed. If that Imperial Government had only exercised what the colonists held to be constitutional authority, there would have been no revolution; but the revolution having taken place, the government of America must be American. As a further guarantee against the natural disposition of all men and all

[1] *Ibid.* p. 259. Although Hamilton was the "greatest statesman in the whole Convention," he "contributed little to the framing of the Constitution" (R. L. Schuyler, *op. cit.* p. 80; Mr Schuyler gives interesting characterizations of the leading members of the Convention). The remark of a fellow-delegate that Hamilton was praised by everybody, but supported by none, does not apply to his contemporaries alone.

[2] Beard, *op. cit.* p. 79. [3] *Ibid.* p. 107.

authorities—even American—to extend their jurisdiction and assume power, and also as a protection for the federating states against "a dangerous federal union," the government was to be one of "enumerated powers." But the British Constitution, as Americans conceived it, was little changed for the sake of change. The executive was to be vested in a single person, the legislature was to consist of two houses, and the separation of the judicature from the legislature was only adopted after various plans for associating the two—as in the House of Lords—had been long discussed. The great feature of the American Constitution in making the Supreme Court the judge of the legality of legislation may have been implied, but it was not made explicit, in the text; and it was Marshall's subsequent work to fashion it as a national instrument of government in response to a growing sense of American nationality[1].

The Constitution, however, embodies but part of the conservative sentiment of 1787. It was properly a compromise and took account of more liberal schools of thought and other interests than property. But conservatism is the dominant characteristic, and Burke's exposition of the system of checks and balances in the British Constitution is even more applicable to that of the United States. That com-

[1] Charles Warren, *The Supreme Court in American History*, 3 vols. Boston, 1924.

pound of monarchy, aristocracy, and democracy which Burke, like Polybius two thousand years earlier, had thought the ideal foundation of a perfect constitution, has long since ceased to be its British characteristic; but the idea was fixed in the American Constitution of 1787. Until Jefferson's time the President's chair was called his "throne,"[1] and much of the style of a royal court was maintained so long as Washington was in office. Sometimes, as he travelled through the country, he was greeted with cries of "God bless your reign"; and John Adams would have liked him styled "His Majesty, the President." "Let us go back to a monarchy," some had said amid the disorder of 1783–7, "monarchy and order"[2]; and the Constitution itself was denounced as "a stepping-stone to monarchy." Others besides Hamilton wanted a President for life; Mason of Virginia "conceived it would be as unnatural to refer the choice of a proper character for chief Magistrate to the people, as it would to refer a trial of colours to a blind man," while Jefferson—also of Virginia—feared "a transition to a President and Senate for life,

[1] Moore, *Hist. of Congress*, pp. 97, 103, 106, 132, 149, 164, 180, 187, 214, 305.

[2] Channing, *History*, IV. 152–3; Powell, *Nullification and Secession*, p. 11. For a more recent and scientific study of the subject, see C. C. Thach, *The Creation of the Presidency* (John Hopkins Studies in Hist. and Pol. Sci. Series XL. No. 4), 1922, and R. L. Schuyler, *Const. U.S.A.* 1923, pp. 105–9.

and from that to an hereditary tenure of these offices" with the ultimate elimination of the elective principle[1]. Madison's Virginia resolutions of 1798 lamented the tendency of the Federal Government to enlarge its powers, and asserted that the inevitable result would be "to transform the present republican system of the United States into an absolute or, at best, a mixed monarchy." Patrick Henry derided the President's "throne," declared that the Constitution "squinted towards monarchy," and was so disgusted with its undemocratic character that he said he would sooner have one consisting of "King, Lords, and Commons."[2] The change from a system of indirect election, which helped to produce the "Virginia dynasty," to the modern Presidential election, and the convention which forbids a President to be re-elected more than once, were not provided by the Constitution[3]. They show that Americans no less than Britons can alter the substance, without changing the form, of a constitution, and can make an understanding as permanent and as effective as

[1] Powell, *Nullification and Secession*, p. 121; Moore, *Hist. of Congress*, pp. 106, 126, 131–2, 164. There seems even to have been an idea of offering an American throne to Prince Henry of Prussia, the brother of Frederick the Great (*Am. Hist. Review*, XVII. 44; Channing, III. 474–5).

[2] Morison, *Documents*, pp. 330–1, cf. Farrand, *Development of U.S.A.* pp. 50, 63–4.

[3] This convention is a conservative adherence to the precedent set by the first President, Washington.

any law or statute. But down to this day the Executive in the United States is far more monarchical and monarchy far more personal than in the United Kingdom. "He" is a single person there, but "it" is a composite entity in Great Britain[1].

If the Executive was to represent monarchy, the Senate was to embody the aristocratic principle. Hamilton avowed his opinion that it should bear as close a likeness as possible to the House of Lords; but he out-did British conservatism in this respect, for he wanted—like Charles I—the tenure of senatorial office to be dependent on good behaviour in the judgment of the Executive. The majority did not agree with him, but there was practical unanimity in the conviction that the Senate should guarantee private property and the rights of minorities against oppression by majorities in the more popular House of Representatives. Even for that House popular election was freely criticized by the Convention. Gerry said he "did not like election by the people," and Sherman wanted the Federal House of Representatives to be elected by the Legislatures of the States[2]. This was the system adopted, and retained

[1] The Executive is sometimes if not often called "he" in the United States; cf. Henry Adams, *Hist.* i. 146–7, "the Executive...his repugnance"; and Secretary Hughes in *New York Times*, 18 Oct. 1924, p. 6.

[2] Morison, *Documents*, pp. 238, 240; cf. Schuyler, pp. 103–4.

till 1913, to safeguard the conservative character of the Senate. But the idea of providing no popular election was too reactionary even for the fathers of the Constitution. Nevertheless, Hamilton appears to have expressed the general sentiment when he stated that their objects were to provide against an excess of law-making, and to keep things as they were[1].

This aristocratic union of liberty with property was characteristic of the eighteenth century on both sides of the Atlantic, and the economic interpreters of history now threaten to re-write the debates of the convention as recording the victory of credit over debt if not of capital over labour. There was as yet little conception of government as a means of giving effect to the popular will and therefore requiring the fullest popular support. A deep gulf of distrust still divided the people from the government; the one was almost regarded as the natural and inevitable enemy of the other. The Convention debates are replete with expressions of dislike for democracy. "The Federal party," says a modern writer, "was based on a distrust of the people"; and one of its periodicals remarked in 1798 "A democracy is scarcely tolerable at any period....It is on its trial here; and the issue will be civil war, desolation, and anarchy." "Your

[1] Beard, *Supreme Court*, 1916, p. 96; see also his *Economic Interpretation of the Constitution*, 1921, and *Economic Origins of Jeffersonian Democracy*, 1915.

people, sir," said Hamilton at a New York dinner, "your people is a great *beast.*"[1] On the other hand, Jefferson avowed that popular liberty depended on popular jealousy of, and not popular confidence in, the government. But even "Jefferson and his southern friends took power [in 1801] as republicans opposed to monarchists, and not as democrats opposed to oligarchy."[2]

This mutual distrust seems all the stranger when we find that "the people," against whom all these precautions were to be taken, were a middle class far above what we now call the proletariat, and that the franchise was anything but liberal according to modern standards. Even that most democratic of revolutionary growths, the Boston town-meeting, represented no more than 3 or 4 per cent. of its population, and control over many of the new townships was retained by non-resident proprietors. In Massachusetts as a whole the colonial franchise is said to have been restricted to between one-fourth and one-fifth of the adult male population, and representation was of property rather than of persons[3]. "The landed interest," said one member of the Constitutional Convention, "at present is prevalent."

[1] Henry Adams, *Hist.* i. 85; cf. *ibid.* ii. 165–6.

[2] *Ibid.* i. 209.

[3] J. T. Adams, *Revolutionary New England*, pp. 160–1, 263, 290, 304; A. E. McKinley, *The Suffrage Franchise in the Thirteen Colonies*, 1905, pp. 355–9, etc.

"The people," agreed another, were "chiefly composed of the landed interest," and in a third of the colonies the franchise was exclusively limited to freeholders[1]. There was a sharp distinction between the sovereign "people" and "those multitudes without property and without principle" whose ultimate prevalence Dickinson and Madison dreaded[2].

Popular sovereignty is, in fact, a very old but a very vague and elusive ideal. Even Roman imperialism had theoretically been based upon it; the will of the prince had the force of law because the people were supposed to have conferred on him its supreme authority; and the origin of the contract theory lies buried in the early middle ages. There was no novelty in the idea that the just powers of government were derived from the consent of the governed. It was Dean Swift, and not an American, who wrote "all government without the consent of the governed is the very definition of slavery"[3]; and the manifold problem of centuries has been—and still

[1] Morison, *Documents*, pp. 246, 260, 275.

[2] *Ibid.* pp. 275–7. Somewhat similarly "populus" in Hungary down to this day means the dominant landholding Magyar class, and "plebs" was adopted to describe the proletariat (see the London *Times*, 15 March 1924). "Plebs" is a favourite Communist word in England; it was the proletarian element in the "populus" of Rome. In the United States, on the other hand, "Populism" was adopted to denote more or less Socialistic radicalism.

[3] *Drapier's Letters*, ed. Temple Scott, pp. 113–15.

is—to determine what is a nation, who are the people, how their consent is to be given or extorted, who are to represent them, and how far the authority of their representatives or their delegates extends. Thousands of Americans in 1787 denied the authority even of the Federal Convention to dispose of the "rights of man" in the way it proposed to do. But whether it could or could not was not for a public opinion outside the Federal Convention and the States Conventions, to whom the work was referred, to decide[1]. It has been asserted that not more than five per cent. of the population voted for or against the Constitution. The "plebs" was beyond the pale, and there was no plebiscite. Not only were the debates of the Federal Convention secret, but so were those of the Federal Senate for long after the Constitution was established[2]; and an appreciation of the limits of American democracy at the end of the eighteenth century is indispensable if we are to understand the recurrent demands for a "new" freedom which have characterized the history of the United States ever since.

[1] Cf. Patrick Henry, "What right had they to say, *We, the People*.... Who authorized them to speak the language of *We, the People*, instead of *We, the States*?" (Morison, *Documents*, p. 309). New York was the only State which permitted all adult males to vote at the election of delegates to its State Convention (Schuyler, p. 138).

[2] Rhodes, *Hist. U.S.A.* I. 24, 31, 33; Moore, *Hist. Congress*, pp. 94, 126, 128.

The original revolution of 1776 was followed by what is called a second Jeffersonian or Democratic revolution in 1800[1], and that second by what was almost a third when Jacksonian Democracy came into power in 1829. Another kind of liberation was effected by Abraham Lincoln, and "the new freedom" was President Wilson's battle-cry in 1912. Even he went to his grave uncertain whether the world was yet a safe habitation for a democracy which still lacks a final definition.

A great deal of this conservatism was due to inheritance and tradition. No people, even if it wants to, can change all its political habits of thought and action; and, writes an American historian in 1896, "we never intended to give up our Anglo-Saxon heritage."[2] "The popular character," says Henry Adams, "was likely to be conservative."[3] In some respects America has retained details—ranging from past participles to constitutional practices—which

[1] Jefferson himself wrote in 1819, "The revolution of 1800 was as real a revolution in the principles of our government as that of 1776 was in its form" (*Works*, vii. 133). Senator Hayne, in his famous attack on Webster on 21 Jan. 1830, referred to it as "the great political revolution which then took place" (Moore, *Congress*, p. 264), and Dr Channing heads the 9th chapter of his 4th volume "The Revolution of 1800."

[2] E. P. Powell, *Nullification*, p. 242.

[3] *Hist. U.S.A.* i. 60; cf. the conservative traits mentioned, *ibid.* i. 61–7, 72, 79, 138.

Great Britain has forgotten. Thus, solemn Leagues and Covenants went out of British fashion in the seventeenth century; but they reappeared in America in 1774[1], and re-crossed the Atlantic to the Peace Conference in 1919. Again, each successive Congress is regarded as a separate unity and is separately numbered. That was once our conception of Parliaments, and its clerk is still called the "clerk of the Parliaments"; but Parliament is now regarded as a single continuous entity. Other curiosities illustrate the influence of tradition. The House of Representatives has its Speaker, like the House of Commons, though the American "Mr Speaker" has never discharged those functions of "Prolocutor" which gave the English "Speaker" his name when he spoke for the Commons in the mediaeval parliament chamber, and before his principal function was to preside over a House of Commons without speaking in debate[2]. In both the American and the British assemblies the Speaker has his serjeant-at-arms and a similar mace, and even the chair in which he sits is, or was, in both upholstered in green leather and studded with brass-headed nails[3]. In spite of the separation of powers

1 J. T. Adams, *Revolutionary New England*, p. 401.

2 See my *Evolution of Parliament*, pp. 126–7, etc.

3 Moore, *Hist. of Congress*, pp. 127, 140; his description exactly fits Speaker Abbott's chair, now in All Souls College Hall, Oxford, but it no longer applies to the American counterpart.

the Senate sits as a court to try impeachments, and the arrangement at the trial of Justice Chase in 1805 was "a mimic reproduction of the famous scene in Westminster Hall."[1]

Legal antiquities tell the same conservative tale. Dicey remarks that some of the law practised in United States courts is almost unintelligible to an English barrister, not on account of its novelty, but of its archaism; and he cites a statute of Charles II taken over bodily in America with only the substitution of $50 for £10. Even the almighty dollar has not quite eradicated English notions of money, and Dr Channing tells us that shillings and pence are still used in some New England townships as a basis of financial calculation[2]. There is also a good deal of academic conservatism, at least so far as equality of the sexes is concerned; and women are not as a rule admitted to the same share in the government of American, as they are in the newer English, universities. This conservatism is particularly characteristic of New England; and one of the excluded once expressed her conviction that Massachusetts would be the last place in the world to be civilized by woman. Eve was never a favourite with the Puritans.

[1] Henry Adams, *Hist.* ii. 227.

[2] *History U.S.A.* (Camb. Hist. Series), p. 121; Dr C. W. Alvord tells me the custom is still common in the West.

These are but straws. But they indicate an important factor in American history and mentality of which Englishmen take too little account. We hastily think, like Macaulay, of rapidity as a dominant characteristic of the American people, and forget the effective restraints they have imposed upon themselves. In Great Britain, for instance, we have had four different Parliaments and four different governments within two years. The Americans had, like us, a general election in November, 1922; but the Congress then elected did not meet until December, 1923, by which time our Parliament, dissolved in October, 1922, had been again dissolved in November, 1923, and had given place to a third, and three different Cabinets had followed in the train[1]. A general election with us, if it involves a change of government, precipitates it at once or within a month or so. A presidential campaign in the United States results in November in the choice of a College of Electors, who, two months later, in January, meet to appoint a President, and he does not come into office until March. He has four months' quiet, calm, deliberation before he undertakes any executive responsibility, and has, unless he calls a special session,

[1] Strictly speaking, four different British administrations held office between Oct. 1922 and Jan. 1924—Mr Lloyd George's, Mr Bonar Law's, Mr Baldwin's, and Mr Ramsay MacDonald's; a fifth followed in Nov. 1924.

another nine before he meets Congress with a legislative programme. Our ancient Constitution, on the other hand, imposes conservatism on even a Labour Government by a rapidity of action which sometimss gives incoming ministers little time to think of a policy of their own.

Such are the circumspection and deliberation which control the normal course of American politics. For any fundamental change, any amendment of the Constitution, the conditions are far more rigid and severe; and it is only ignorance of these conditions and of the history of these changes that gives us the impression that they are made in haste. Before any amendment can be adopted, thirty-six out of the forty-eight States of the Union have to be severally and individually converted to its necessity, and conversion is a lengthy process. Prohibition, for instance, looks to us a sudden change, and it has been ascribed to the emotional psychology of the War. But Maine adopted it in 1851[1], and a dozen other States had followed suit before the War. Before even a State adopts it, it is accepted county by county and town by town within it. I say nothing about the wisdom of the policy, but it was at least a deliberate affair of argument and experiment extending over three-quarters of a century. And it is well to remember that a similar process of conversion has to be

[1] J. F. Rhodes, *Hist. U.S.A.* II. 48. Women took to "saloon-breaking" in 1854 (*ibid.* II. 56).

gone through again before the amendment can be repealed. No amendment to the Constitution, once made, has yet been reversed—a remarkable proof of constitutional stability; but if it is to be reversed, no mere majority in the House of Representatives, however colossal, will suffice. Nor will it suffice even though there is as great a concurrent majority in the Senate, and the President approves—and, it may be remarked as a further guarantee of deliberation, the seasons are none too frequent in which the Senate agrees with the House, and the President with both. Three-quarters of the States have once more to be severally and individually convinced that what they had done was wrong and ought to be repealed. The law of the Constitution may be evaded; its operation may be tempered to thirsty man by judicial interpretation or administrative inaction. But it will not easily or rapidly be changed[1].

The Constitution of the United States was made in fact by conservative statesmen for safety, not for speed; and the momentous innovations of American history have not been the product of a restless national temperament working a reckless will in the political world, but the slow development of fundamental ideas, most of them inherited, in response to the changing circumstances of time and necessities of the age. Driven into independence by defence of

[1] The elections of Nov. 1924 are said to have increased the 'dryness' of Congress.

what they held, and to a large extent rightly held, to be inherited English liberties, the colonists reluctantly found themselves under the necessity of evolving a new nation and a new nationality. But, left to themselves, they were first concerned to safeguard what they had won. They sought to fix and conserve not only the fruits of Independence by means of the Constitution, but the mood and tense mentality of the Revolution by legends of an heroic age. The Constitution was stereotyped, not merely by the obstacles to amendment, but by a belief in its perfection which prohibited progress. What with the absence of amendment for two generations, the strength of its Second Chamber, and the curb of the Referendum, the United States appeared to later Englishmen than Macaulay to be the rising hope of stern and unbending Tories and a model of stability for constitutional parties. To Americans acts of Congress were not so much a means of change as a method of putting on record moral aspirations, a liturgy rather than legislation; and the statute-book was less the fiat of the state than a book of common prayer. The Constitution was the ark of a covenant with more than a mere contractual sanction. It was almost a national church into which, in default of any other, Americans were baptized; and it was once described by a President as "the greatest government that God has ever made."

CHAPTER III

Nationality and Nationalism

THE novelty of the problem which confronted the colonists when they declared and secured their independence consisted in the fact that they were, as they claimed to be, English. Other peoples had waged successful wars of independence, the French against our own Plantagenets and Lancastrians, the Dutch against Philip II, and the Portuguese against later Spanish kings. Others again were to do the like in the nineteenth century, Balkan nationalities against the Turks, Italians against Bourbon and Habsburg monarchs, not to mention the insurgent nationalities of the last great war. But these were all throwing off a culture or a barbarism imposed upon them by masters alien in race and tradition and often in speech and religion. There was no call for the emancipated peoples to develop a new nationality, though they had to frame a new government and a new State. The Americans, too, found that they had to frame a federal government, but the foundations of their States had long been laid in the colonial period. The questions were whether the States would become a State, how far they would develop a new nationality, and to what extent it

would assume the characteristics of a modern national power. Upon the answers to these questions would depend the contribution which the United States would make to the civilization of the world.

"We are now," declared Benjamin Rush of Pennsylvania in 1776, "a new nation."[1] It was not, however, a new nation, but a new world, that the revolutionists had in view; and the new world was to be based on the oldest rights of man and on the liberties of Englishmen unimpaired by a new-fangled sovereignty of Parliament. America was, in the words of Tom Paine, to be "an asylum for mankind."[2] For him, Europe, not England, was the mother of the new community, and the common characteristic of its members was to be their emancipation from the trammels imposed by the old national States from which they had escaped. They were not to be nationalists, but citizens of the world. In other words, the community was to be a commonwealth rather than a nation, a society rather than a State. A constitution, said Tom Paine, is the constitution of society not of the State; and James Wilson, possibly the profoundest theorist of the Revolution, wrote of the colonies as forming a "Commonwealth of Nations"—a phrase familiar

[1] R. L. Schuyler, *op. cit.* p. 30.

[2] Quoted in J. T. Adams, *Revolutionary New England*, p. 439.

enough to-day, but one which Wilson is said to have coined in 1774[1]. Its constitution was designed to insure the preservation of those natural rights which men did not surrender upon their entrance into political society[2]; and judicial supremacy was contrived to implement the guarantee. The American Commonwealth was thus to be based, not upon nationality, but upon common humanity; it was to be founded not on men's distinctions but on their common properties and instincts. The simple rule of nature would exclude diversity of rank, destroy the pomp of power, and exorcise the pride of race.

The idea that States or society originated in a compact has long ago succumbed to historical investigation; and Abraham Lincoln effectively disposed of the theory when it was employed to justify secession. But obsolete ideas have a habit of resurrection; and the political philosophy of the American Revolution has naturally been invoked in connection, not only with the British Commonwealth of Nations, but with the wider league which took form in the Covenant of 1919. It has, at least, been shown that Austinian sovereignty and the unicellular State, however relevant they may have been to the nationalist stage of civilization, are anomalous survivals in the world of to-day and have little prospect

[1] R. G. Adams, *Political Ideas*, pp. 41, 117.
[2] *Ibid.* p. 168.

of a useful future. The American Commonwealth was, however, born into a world which was in full career towards nationalism, and the new world could not escape infection from the old. It was brought at once into contact with other national States, and found itself reluctantly involved in the old-world tangle of diplomacy and war. The ink was scarcely dry on the Declaration of Independence before clamours arose for a declaration of High Treason to protect the inchoate but incoherent State[1]. Washington might warn it against entangling alliances and Jefferson against a diplomatic establishment[2]; but, cried a member of the Constitutional Convention, "if not checked we shall have ambassadors to every petty State in Europe"[3]; and diplomacy itself failed to prevent war with France in 1798.

Nor was it possible to get very far on the negative lines of protest against sovereignty, nationalism, and the State. An asylum, even when it is one for all mankind, is a rather colourless ideal, and Patrick Henry's "give me liberty, or give me death" was exhausted as an inspiration when the colonists had secured their independence. A commonwealth could not be based on the mere absence of restraint; and the anarchy of 1783–7, with its riots, rebellions, inter-

1 Egerton, *American Revolution*, p. 172.
2 E. P. Powell, *Nullification*, p. 121.
3 Morison, *Documents*, p. 261.

State rivalries, and Confederate impotence, brought home the need of positive government. A liberty that had consisted largely in smuggling, trading with the enemy, doing as one pleased with Indians[1], Indian lands, and royal forests[2], and refusing taxes and supplies, was well enough so long as the supplies and the taxes would go to a British government. But it was intolerable to a government of Americans by themselves, when customs-dues and taxes had become the national income, royal rights American property, and the king's woods the public domain. Self-consciousness in revolt becomes responsibility in self-government; and responsibility for the welfare of thirteen States, not to mention a new world, developed a sense of national unity. The Constitution was the first expression of the need for a permanent national organization. Americans were to be something more than a heterogeneous and schismatic mass of refugees from every variety of political, social, or religious oppression; and the United States has often been called the melting-pot[3]. But a melting-pot is useless without a fire, and national fervour was needed to raise its contents to the point of fusion.

[1] Cf. the account of the massacre of Indians by the "Paxton Boys" and others in Franklin's *Works* (ed. Bigelow, III. 260–86). [2] J. T. Adams, *op. cit.* pp. 121–3.

[3] The phrase was coined by Israel Zangwill. "America clasped it to her heart as a pearl of great price" (Henry B. Fuller in *New York Times*, 21 Dec. 1924).

The ultimate temperature was not due to central heating alone, any more than the Revolution itself had been provoked solely by the action of the colonists. It had been a collision between the growing sense of colonial strength and the grasping control of imperial government. Nationalism was a further stage in the process, through which all communities, all classes, and most individuals pass, from a parochial to a provincial consciousness, from provincialism to nationalism, and on, when opportunity offers, to imperialism and conceptions of world-power or world-justice. The history of the colonies and United States of America provides us, in fact, with far the most valuable record we possess of the process of making a nation. We need not admit that the making of the English nation was less important; because, but for that fact, there would have been no United States. The early stages of our own fusion are, however, hopelessly obscure owing to the scantiness and doubtfulness of our evidence. But across the Atlantic the whole process is visible to our eyes, from the seventeenth to the twentieth century, in masses of original and contemporary documents illustrating every phase in the manifold and complicated growth of that subtle and elusive complex which we call a nation[1].

[1] See below, pp. 306–11, and Evarts B. Greene, *Foundations of American Nationality*, 1922.

By the end of the seventeenth century the colonies had for the most part passed the initial stages and achieved a provincial consciousness expressed in the various colonial legislatures, though always and everywhere there was that antagonism between East and West, the settled sea-board and the moving frontier, the conservative and the pioneer, the creditor and the debtor, which after Union and Independence became a permanent factor in American national politics. But the further stage of colonial co-operation had yet to be attained, and it is an arguable question whether anything less than external pressure from British imperialism and the consequent War of Independence would have sufficed to bring national unity to pass. We here owe our national unity largely to the still more drastic coercion of a Norman Conquest, and in this island we had to deal with an area marked off by the sea and less than one thirty-fourth of that which became the United States of America.

Colonial unity was conspicuous by its absence in the eighteenth century. In the first year of it a Governor of Virginia wrote: "One of the great misfortunes that this country lives under at present is that the Assembly cannot, or will not, be made sensible of the necessity of assisting His Majesty's province of New York with money or men, or that they are in any danger of being attacked by the French, either at sea or on land; for the country

consists now most of natives, few of which either have read much or been abroad in the world."[1] "One of the curious features," writes an American historian[2], "in the relations of the colonies to England was the constant demand made by one colony or another that the mother country should force other colonies to contribute fixed quotas although each for itself refused to acknowledge her right to do so." It was the failure of the colonies to provide a common fund for common defence that provoked the Stamp Act of 1765; so long as the colonies were the provinces of King George, it was also his province to provide for their protection.

A greater inherent peril to colonial unity than inadequate provision for common defence lay in the rival claims of several colonies to limitless expansion. Charters had been loosely drafted and grants liberally made, in the geographical ignorance of the seventeenth century and under the impression that there was not enough money but superfluous land for everyone. Massachusetts, Virginia, and Connecticut, for instance, could pretend to extension westward limited only by the South Sea, as the Pacific was then called; "there was not an inch of the West

[1] *Cal. State Papers*, America and West Indies, 1701, p. 681; cf. the Governor (Dudley) of Massachusetts on the delinquencies of Rhode Island and Connecticut (*ibid.* 1702–3, pp. 690–1).

[2] J. T. Adams, *op. cit.* p. 31; cf. *ibid.* p. 123.

between the great lakes and the Ohio that was not claimed by one or more of seven out of the thirteen states"; and "actual war between Connecticut and Pennsylvania seemed for a time not impossible."[1] It is possibly the greatest achievement of the American people that this expansion into territory nearly as large as Europe[2] should have been made with only one great civil war, and that a war which would have been avoided but for the extraneous slavery issue. For the scramble among thirteen colonies—some of them larger than most European States—which became independent in 1783, might well have turned America into an armed camp and a cockpit as sanguinary as Europe itself; and twenty-three different plans for union among them are said to have failed before 1776[3].

We helped them, no doubt, to domestic concord by waging war upon them all; and those colonies which possessed no claims of their own added their weight to the pacific settlement of the disputes. But perhaps the most urgent reason for national action

[1] Morison, *op. cit.* p. xxix; R. L. Schuyler, *Const. U.S.A.* p. 45.

[2] According to the *Encycl. Brit.* 11th ed. IX. 907, the ordinary definition of Europe includes 3,687,750 square miles, while the United States (including Alaska) covers 3,617,673 square miles. The Anglo-Saxon tribal kingdoms fought for centuries over their hinterlands before the Norman Conquest.

[3] E. P. Powell, *Nullification and Secession*, p. 411.

was Spain's desire for the recovery of the Floridas and the acquisition of the colonial hinterland between the Alleghanies and the Mississippi. This would have meant the recovery by the Bourbons of most of what they had lost in the Seven Years' War; and Congress—in spite of the allegation that that war had been fought by Great Britain solely in her own interests—naturally refused to surrender the enormous advantages the colonies had derived therefrom. Spain, however, entered the war in hopes of what peace would bring[1], and it was up to the Confederate States to meet their allies at the conference with a united front and an accomplished fact. Claimants to independence could not rely exclusively on the mother country to protect them from the Bourbon kings of France and Spain; and national unity was the price of colonial independence.

Out of such necessities has national union been hammered out all the world over; and the need of it in North America produced the self-denying ordinances of 1780 and 1784. The Articles of Confederation[2], drafted in 1777 as a corollary to the

[1] Channing, *History U.S.A.* III. 354–7. Prof. A. C. McLaughlin, however, in vol. x of A. B. Hart's *American Nation* series and other historians take a more favourable view of this alleged Franco-Spanish "intrigue" against the nascent United States.

[2] W. MacDonald, *Documentary Source-Book*, 1909, pp. 195–204.

Declaration of Independence, still hung fire in 1780 because some of the States had refused to ratify them without some share or voice in the magnificent western heritage which success in the war would bring. As early as November 1776, Maryland had urged that these western lands should be regarded as common property. To the legislature of New York belongs the distinction of being the first to offer to cede its claims to the Confederation as a whole. Congress approved of the policy. Maryland, the last of the recalcitrant States, ratified the Articles, and the Confederation came into formal existence in 1781. Three years later Virginia, whose claims were the oldest, the most extensive, and the best founded of them all, made a similar surrender for the common good.

The policy was not without parallels in Europe. There was the "Generaliteitsland" in the Netherlands, consisting of the conquests made by the seven United Provinces from the Spaniards and held as the common property of the Dutch Republic. The States General of those United Provinces had also possessed for a time[1] their western territory in the New

[1] J. A. Doyle, *The Middle Colonies*, 1906, p. 183. This was in 1672–3 when for a brief 15 months the Dutch recovered New York from the English. The original Dutch colony had been under the Dutch West India Company (1626–1664). In May, 1924, was celebrated the tercentenary of the alleged settlement of Walloons and others on Manhattan (see *The Times*, 19 May, 1924); the indisputable Dutch settlement was not made till 1626.

Netherlands; and the New Netherlands became the New York which first surrendered its further West to be held as the common property of the United States. Later on there was a less happy parallel in the German Reichsland of Alsace-Lorraine; and still later, territories conquered in the Great War were given by the Treaty of Versailles to the League of Nations to be administered by particular Powers only as mandatories of that sovereign body[1].

The most enthusiastic advocate of the League of Nations can hardly anticipate for it so great a benefit from the mandatory system as the United States of America derived from its Northwest Territory[2]. It may have done more than anything else, Independence alone excepted, to impress the image of national unity on the thirteen States. Each had now a vast and vested interest in the Confederation, and the possession of this common estate gave a unity of

[1] Oddly enough, this suggestion was not made by President Wilson, but by General Smuts, who may, however, have had the Dutch precedent in mind.

[2] "Northwest" is somewhat misleading. It came into use because the territory immediately under consideration lay north-west of the Ohio, which runs south-west into the Mississippi. But after the Louisiana purchase the territory and the policy came to embrace the whole of the west, south as well as north. "Northwest" had, moreover, the advantage from the American point of view, of not excluding Canada, which it was hoped till 1867, if not later, might eventually be included in the United States of North America. See below, pp. 206–11, 276–7.

direction to American diplomacy which might easily have been impaired, had half-a-dozen States been open to rival bargains for territory along the Mississippi. The necessity of a common policy for the joint possession also stimulated the growth of a common policy among the States themselves. One of the pre-revolutionary intuitions of nationality had been the colonists' claim to "develop the natural resources of that country and to utilize them freely through commerce."[1] But it could not be realized so long as New York had a tariff on produce from New Jersey and New Jersey on produce from New York—as they still had in 1787[2]. Not the least important of the provisions of the Constitution of that year were those securing free trade within the Union and prohibiting all discrimination of treatment among the States. The need of dealing with inter-State commerce and communications had been the inducement to establish the Federal Convention, and the national[3] was hardly inferior to the conservative character of its work.

[1] J. T. Adams, *Revolutionary New England*, p. 153. R. G. Adams in his *Political Ideas* (p. 90) naturally emphasizes John Adams' "sublime intuition of nationality" rather than the economic factor.

[2] E. P. Powell, *op. cit.* p. 4. Cf. other illustrations in Channing, III. 467–72.

[3] "It was called the Federal rather than the National Constitution in order to disarm state prejudice against a

It marked another stage in the process which began with Committees of Correspondence in 1771, produced the Association of 1774, and passed on to the Confederation of 1777–81 and finally to the Union of 1787–9[1]. Congress had been the symbol of the growth. But congress was as non-committal a word as our original parliament. It meant no more than independent States in congress, just as Parliament meant self-taxing, if not autonomous, Estates in parley. There had been endless and ineffective congresses in European history without implying or producing a vestige of organic unity. But the Constitution did much to fill the void in the American colonies. It decided that every citizen of every State should be a citizen of all the States, *i.e.* of the United States. It provided for a common supervision of a common law, a common legislature, a common executive, a common policy, exclusive of any other in foreign affairs and in the common Territory, and restrictive to some extent of the domestic policy of the several States. If they still, under the Constitution, claimed to be sovereign, it was only because sovereignty was still a term with

'consolidated' government" (Madison in *Doc. Hist. of the Constitution*, v. 333; cf. Channing, III. 494; S. E. Morison, *Documents*, p. xliii; and R. L. Schuyler, *Const. U.S.A.* pp. 136–7).

[1] The Constitution, drafted in the Convention of 1787, was not adopted by the requisite number of States until 1789.

many shades of meaning. The melting-pot had been fashioned and the fire of nationalism was beginning to burn.

External relations added fuel to the flame. Citizens of the world were not an entity that could be recognized, diplomatically or otherwise, by foreign governments. "What nationality?" was ever the question which dominated international relations, and the Constitutional Convention itself could not avoid it. It came up in an acute form in the debate over the qualifications to be imposed by the Constitution for election to the Senate[1]. Since, said Pinckney, the Senate was to have the power of making treaties and managing foreign affairs[2], there was a peculiar danger and impropriety in opening its door to those who had foreign attachments. Colonel Mason would have limited eligibility to natives but for the fact that many, not natives, had acquired great credit during the Revolution. Madison deprecated restriction as giving "a tincture of illiberality to the Constitution," and would have left it to Congress to legislate from time to time. Butler opposed

[1] Morison, *Docs.* pp. 279–82. The Constitution (Art. I. iii. 3) eventually settled that the qualifications should be 30 years of age, 9 years' citizenship, and residence in the State for which the Senator was chosen.

[2] For the development of the President's authority in this sphere at the expense of the Senate, see E. S. Corwin, *The President's Control of Foreign Relations*, 1913.

the admission of "foreigners" without long residence in the country; they brought with them, he said, not only attachments to other countries, but ideas of government so distinct from American ideas that from every point of view they were dangerous. Franklin appealed to the general friendship then felt for the United States in European countries, even Great Britain, and pointed out that, while many immigrants had fought for the Revolution, thousands of natives had fought against it. Randolph doubted whether immigration was useful to the country or not. Gouverneur Morris appeared as a full-blown nationalist. "As to those philosophical gentlemen," he said, "those citizens of the world, as they call themselves, he owned he did not wish to see any of them in our public councils. He would not trust them. The men who can shake off their attachments to their own country can never love any other."[1]

This was a far cry from Tom Paine and his *Common Sense*. Attachments to anything that was not abstract sat as lightly on him as on Shelley, and he had been barely a year in America, when, after serving on a privateer, being dismissed from the English excise for official misconduct, and separating from his wife, he besought his adopted country to "receive the fugitive and prepare in time an asylum

[1] Morison, *op. cit.* pp. 281–2.

for mankind."[1] He was only at rest in a revolution, and he was not a member of the Convention which framed the American Constitution. The French Revolution had lured him back to Europe into its embraces and its toils; in France he became a citizen of a Republic newer and less conservative than the American, was elected to the Convention of 1793, and was nearly guillotined by Robespierre. The author of *Common Sense*, *The Crisis*, the *Rights of Man* and the *Age of Reason*, the Byron of prose, as Byron was the Tom Paine of poetry, he concluded his career by insulting George Washington[2], scheming to plant liberty in his native England under the imperial standard of Napoleon, and being denied, when he finally returned to the United States, his vote as an American citizen. The Revolution had ceased to revolve, and the citizen of the world was

[1] Leslie Stephen in *Dict. Nat. Biogr.*; J. T. Adams, *Revolutionary New England*, pp. 439–40; Moncure D. Conway, *Life of Paine*.

[2] "The world," he wrote, "will be puzzled to decide whether you are an apostate or imposter; whether you have abandoned good principles, or whether you ever had any" (Moore, *Hist. of Congress*, p. 155; cf. Henry Adams, *Hist.* i. 328). Equal abuse was showered on Washington's head by other writers on his retirement from the Presidency (Channing, IV. 174). Tom Paine had as poor an opinion of the second President as of the first. "The silent hypocrisy of Washington," he wrote to Jefferson, "gave the first stab to the fame of America, and the entire nothingness of Adams has deepened the wound" (*Ibid.* IV. 206).

not at home in an American nation. Citizenship of any State within the American Union was to make a citizen of the United States, but citizenship of the United States was not to make a citizen of the world.

Nevertheless, Gouverneur Morris's viewpoint was a delicate if not a dangerous position, and his arguments suited the old world rather than the new. There was a barely perceptible difference between his contention, that a man who abjured one country could never love another, and the old legal maxim *Nemo potest exuere patriam suam*, no one can divest himself of his nationality. Yet it was Britain's assertion, and America's denial, of this principle which most disturbed their relations after Independence and did most to provoke the second war of 1812–14. Could a nation exist without nationality? If not, how could a new nation acquire a new nationality unless its people abjured their old? Was not the Declaration of Independence such an abjuration? James Wilson had himself used the old argument less than two years before the Declaration of Independence. "An Englishman," he wrote[1], "who removes to foreign countries, however distant from England, owes the same allegiance to his King there which he owed him at home; and will owe it twenty years hence as much as he owes it now." Granted that George III had,

[1] Morison, *Documents*, p. 114.

by the treaty of peace in 1783 recognized independence, how did Americans stand in relation to other countries? There was an old rule of law that transactions between two parties could not legally affect a third. When, for instance, a mediaeval lord emancipated his serfs, he could only remit what was owed to him and not the obligations under which they might stand to other parties. Hitherto the colonists had been of British nationality and were regarded as such by foreign Powers. What was to be the basis of their relations henceforth?

Recognition of American Independence on their part followed almost as a matter of course. But international law, so far as it was operative, was a matter of specific treaties between particular Powers, and there were few such as yet between the new Confederation and the old world Powers. A preliminary difficulty was the doubt whether the Confederation was permanent and how far its authority bound the thirteen States. If it was to be short-lived, and if the thirteen States were really sovereign, each of these treaties must be concluded severally with them. When John Adams, the first American Minister in London, suggested the negotiation of a commercial treaty in 1785, the British Secretary "replied by demanding the presence of thirteen ambassadors, one from each American State, since the general government of the Confederation seemed to be un-

able to secure the observance of the treaties."[1] Independent Americans had no option but to become a national unit so far as foreign affairs were concerned, and therefore to prohibit any diplomatic relations between the several States and the outside world, and to establish a Secretary for Foreign Affairs who was and remains the only American Secretary of State[2].

Even so, it would have been a superhuman task to negotiate fresh treaties between the United States and foreign Powers covering all the ground of the hundred and one treaties, negotiated in past centuries by England with those Powers, under which the colonists had enjoyed some right or other. In these

[1] Channing, *Hist. U.S.A.* III. 465.

[2] Down to the Civil War the United States were hardly a State except from the international point of view. "The federal," wrote Jefferson in 1824, "is in truth our foreign government, which department alone is taken from the sovereignty of the separate States" (*Works*, vii. 336). Hence the crucial character of the question whether or no the Southern Confederacy should be recognized as a State by European Powers. See below, pp. 196–8; and cf. *The Education of Henry Adams*, 1918, p. 422, "The Secretary of State exists only to recognize the existence of a world which Congress would rather ignore; of obligations which Congress repudiates whenever it can; of bargains which Congress distrusts and tries to turn to its advantage or to reject. Since the first day the Senate existed, it has always intrigued against the Secretary of State wherever the Secretary has been obliged to extend his functions beyond the appointment of consuls in Senators' service."

circumstances the United States adopted and pressed the view that the treaty of peace in 1783[1] involved a partition of the British Empire, so far as territory was concerned, but that each part inherited the entire status in international law which had been possessed by the whole. Thus, for instance, the United States were to inherit the western territory secured from France by the Seven Years' War and the Treaty of 1763, and Americans were to enjoy the same fishing rights, as independent Americans, that they had possessed as British colonists[2]. It says something for the theory that blood is thicker than water[3], that this scheme should have been effected between the British and American plenipotentiaries in Paris behind the backs of the French and Spaniards. In spite of civil war, the United States entered the comity of nations as the joint heir with Great Britain to a common inheritance and international status.

There was, however, trouble ahead. All British

[1] MacDonald, *Source-Book*, pp. 205–9.

[2] Channing, *Hist. U.S.A.* III. 352, 358, 365–9.

[3] The American commodore, Josiah Tattnall (1795–1871), "may be said to have gained a world-wide reputation by his use of the phrase 'blood is thicker than water' to justify his intervention on behalf of the British squadron engaged in the operations against the Pei-ho forts" in 1859 (*Enc. Brit.* 11th ed. XXVI. 451; A. B. Hart, *Amer. For. Policy*, p. 75; but cf. Sir J. K. Laughton's account in *Dict. Nat. Biogr.* XXVII. 319, and Sherard Osborn in *Blackwood's Magazine*, Dec. 1859).

statesmen were not so friendly or so liberal as Fox and Shelburne, who disputed between them the control of the negotiations and the credit for the treaty of 1783. France and Spain would not prolong their "most favoured nation" treatment of the rebellious colonists now that they were independent rivals. As citizens of the world the Americans apparently expected to enjoy the benefits of a universal free trade. But Great Britain herself was not prepared to continue to an independent nation the benefits its people had enjoyed, when colonists, under her Navigation Laws, any more than she expected the United States to impose upon themselves the restrictions Great Britain had imposed under the colonial system. Americans were, however, greatly disappointed at the consequent loss of their trade with the British West Indies[1], while Britons were agreeably surprised to find that they did more trade with the independent States than they had done with the dependent colonies. The reason lay in the advance which the Industrial Revolution had made in England, whereas the States were still producers of raw materials. They had to depend upon Britain as a market for their raw materials and a source of manufactured goods; and were soon to realize that political independence was insufficient by itself. The first War of Independence had shown the colonies

[1] Channing, *Hist. U.S.A.* III. 408–9.

to be capable of defending themselves, but it left them inadequately equipped to enforce their claims on others. They had secured the right to govern themselves but not equality in the eyes of other nations.

This inequality was partly due to the inadequacy of American national government. The old Confederation had no means of enforcing upon its several States the observance of treaties concluded with foreign Powers, and those Powers, finding some parts of the treaties ignored, retaliated by refusing to carry out other parts themselves. In accordance with the treaty of peace in 1783, for instance, Congress earnestly recommended the thirteen States to restore to the Loyalists their confiscated property; but it had no power to compel compliance, and the recommendation was generally ignored[1]. This inability reacted unfavourably upon the cause of American union. Spain, for instance, declined to permit free navigation of the Mississippi, and western settlers in Kentucky and Tennessee threatened to join Spain or Great Britain unless the United States could guarantee them that essential liberty[2]. But the worst of the complications with foreign Powers arose over the

[1] See Egerton, *op. cit.* pp. 175–8. The 11th Amendment to the Constitution, adopted in 1798, prohibited the Supreme Court itself from entertaining any suit brought by citizens of a State, whether a foreign State or one of the United States, against another State within the Union.

[2] Channing, III. 488–90, IV. 146–7.

fundamental question of nationality. The old-world view was that men were born into certain obligations which they were not free to repudiate at their own discretion. The American doctrine was that all men are "endowed by their Creator with certain inalienable rights, and that among these are life, liberty, and the pursuit of happiness."[1] It was a fundamental issue between inherited obligation to a government or a community on the one hand, and a natural, if not a divine, right of the individual to self-determination, on the other.

The British obligation included a liability to impressment for service at sea, and from the beginning of the eighteenth century there had been difficulties about British seamen who deserted in colonial waters[2]. Could they, after Independence, escape their liabilities and secure the protection of the United States under the liberal provisions which enabled deserters so easily to become American citizens? As late as 1853 an American naval commander extorted the release of a Hungarian merely on the ground that he had expressed his intention of becoming an American citizen[3]; and obviously there were limits to the extent

[1] Declaration of Independence.

[2] Cf. *Cal. State Papers*, Colonial Series, 1702–5, *passim.*

[3] A. B. Hart, *Foundations of American Foreign Policy*, p. 74. In colonial times "many bands of immigrants . . . were naturalized by special colonial acts before their departure from their old homes" (Channing, *U.S.A.*, Camb. Hist. Ser.,

to which European governments could afford to permit refugees, whether from justice or from oppression, to evade their liabilities on the plea of their natural right to become free and equal citizens in America. Great Britain strenuously and obstinately pressed her right to claim her nationals to the extent of insisting upon a right to search American vessels for deserters, and the war of 1812–14 was partly fought by the United States to deny, and by Great Britain to assert, this right. The British case was logical enough on the old theory of allegiance; but even the British Government knew this claim could not be enforced on American land, and sea-power alone enabled it to enforce the claim by searching American ships on the high seas in defiance of the British rule that ships are the territory of the nation whose flag they fly. Without a navy American independence was as imperfect as it was without domestic manufactures.

An American navy was, however, one of the factors in nationalism over which the two parties, Federalists and Republicans (afterwards called Democrats)[1] which grew up after the Constitution, disputed. Patrick Henry had indignantly asked, in the Virginia

p. 20); and citizenship in some of the colonies was regularly conferred after only a year's residence.

[1] For the complicated evolution of these two parties see Woodburn, *Political Parties and Party Problems in U.S.A.* 1903.

Convention debates: "Shall we imitate the example of those nations who have gone from a simple to a splendid government?"[1] and Jefferson laid down his Democratic platform for a government "rigorously frugal and simple," pledged to discharge the national debt, eschew a standing army in time of peace, and to do without a navy "which by its own expenses and the eternal wars in which it will implicate us, will grind us with public burthens and sink us under them."[2] For none of these national establishments could be maintained without developing national taxation, increasing the number of Federal officials, and extending the scope and authority of the central government at the expense of the States-rights and the local self-government to which the Democrats were devoted. "Free government," he said, "is founded on jealousy and not in confidence"; and jealousy of the central government was so pronounced that Democrats would have reduced it to a simple department for foreign affairs "with little or no diplomatic establishment."[3]

The Federalists, on the other hand, were all for increasing national unity through the agency of a central and centralizing administration. Hamilton even threatened on one occasion to divide up the

[1] Morison, *Documents*, p. 328.
[2] E. P. Powell, *Nullification*, p. 121.
[3] Woodburn, *op. cit.* pp. 18–19.

various States in somewhat the same way as the French Republic had, in the interests of centralization, divided up the French provinces, with their local patriotism and historic traditions, into bureaucratic departments. "We must," he had said in the Constitutional debates, "annihilate the State distinctions and State operations." "The States would always prefer their particular concerns to the general welfare." He would have made their governors nominees of the central power, have given the President exclusive control of the States' militias, and have taken over their debts. "All federal governments," he contended, "are weak and distracted.... We must establish a general and national government, completely sovereign."[1] Washington's favourite measure which he constantly urged on Congress was a national university. "It has been," he said in his will[2], "my ardent wish to see a plan devised to spread systematic ideas throughout all parts of this rising empire—thereby doing away with local attachments and State prejudices"; and he "found it necessary to make a tour of the States, partly that the people might be accustomed to conceive of a national government as a visible fact,"[3] much as William the

1 Morison, *Documents*, pp. 256–7.

2 *Works*, XIV. 277; the scheme is being revived as one of the proposals to celebrate the bi-centenary of Washington's birth in 1932.

3 Powell, *Nullification*, pp. 17, 190.

Conqueror wore his crown publicly in three parts of England in order to convince his people that they really had a king.

Behind a bewildering variety of party names on both sides of the Atlantic there has been the same fundamental cleavage of opinion in Great Britain and the United States, and there was hardly an issue in British politics after 1832 that had not been an issue in the United States a generation earlier. One school of thought laid emphasis on central government, national prestige, the army, the navy, protection, and the empire. The other advocated local self-government, leading to devolution and home rule, believed in free trade, peace, retrenchment, and reform, and envisaged a citizenship of the world. The French Revolution, occurring in the year in which Washington became first President of the United States, gave an almost international aspect to the cleavage of American parties; one was, indeed, called the English, and the other the French, party[1]. The Federalists were Conservative and pro-British, the Democrats were Radical and pro-French. The Democrats were annoyed when Washington proclaimed neutrality in the war of 1793[2] and when Jay

[1] Woodburn, *Parties*, p. 15.

[2] Printed in MacDonald, *Source-Book*, p. 243. Genet, the French envoy to the United States organized demonstrations against the Government (cf. *Amer. Hist. Rev.* Oct. 1924), and John Adams wrote that "in 1793 ten thousand

concluded his Treaty with Great Britain, and were infuriated when, five years later, the Federalists, crying "millions for defence but not one cent for tribute,"[1] involved their country in resistance to the aggressiveness of France[2].

War was incompatible with citizenship of the world; and Federalist legislation against alien enemies and sedition authorized the President to deprive conspirators, at least, of liberty "without due process of law." Enemy aliens were also forbidden naturalization, and other aliens made to reside fourteen years instead of five before being qualified for it[3]. The principles of the Revolution seemed thus to be challenged, and Democratic wrath was stirred by these violations of the rights of man, assumptions by the central government, and usurpations on the powers of the States. The famous Kentucky and Virginia resolutions of 1798 denounced these laws of Congress as assuming legislative powers not dele-

people in the streets of Philadelphia day after day threatened to drag Washington out of his house and effect a revolution in the government, or else compel it to declare war in favour of the French Revolution and against England" (Moore, *op. cit.* p. 161).

[1] Channing, IV. 189. Jay's treaty is given in MacDonald's *Source-Book*, pp. 245–58.

[2] See Gardner W. Allen, *Our Naval War with France*, Boston, 1909.

[3] The text of these Acts is in MacDonald, *Source-Book*, pp. 258–65.

gated to Congress but expressly reserved to the several States, and asserted that the States "being sovereign and independent" had the right to declare the invalidity of Acts passed by Congress. This was the doctrine of "Nullification," which ended in the Civil War of 1861[1].

It postponed for two generations the achievement of American national unity. "Federal Americans," wrote William Winterbotham[2] in 1795, "collected together from various countries, of various habits, formed under different governments, have yet to form their national character—they have not yet existed as a nation long enough for us to form an idea of what will be, in its maturity, its prominent features." Fortunately, the triumphant success of the Democrats in electing Jefferson as President in 1800 was followed by a transformation even more

[1] MacDonald, *Source Book*, pp. 267–76. The same anti-Federalist trend of opinion inspired the first eleven Amendments to the Constitution (1791–8) especially the 9th–11th which "went far toward revolutionizing the Constitution as it came from the Convention...and modified the organic law so that the question of its national character became a matter of judicial interpretation and legislative conflict" (Channing, III. 495–6, IV. 158–60).

[2] See art. in *Dict. Nat. Biogr.* LXII. 222–3, by Mr (now the Rt. Hon.) J. Ramsay MacDonald; cf. A. B. Hart, *op. cit.* p. 185. Winterbotham's work was entitled "Historical, Geographical, Commercial and Philosophical View of the American United States" and was published in 4 vols. London, 1795.

complete than that which usually overtakes an Opposition when it succeeds to office; and, said Chief-Justice Marshall, "Jefferson killed the Federalist party by adopting its principles." Marshall, it must be admitted, gave him great assistance. One of the last of President Adams' acts, after his party had been defeated, but before laying down his office, had been to appoint Marshall, then his Secretary of State, Chief-Justice of the Supreme Court; and Marshall's "great political purpose in life was to promote American nationalism."[1] While the Federalists were defeated and eventually dissolved as a party, and while the Republican-Democrats retained complete control of the executive and legislature for twenty-four years, the Supreme Court of Justice under Marshall's direction gave an ampler interpretation of the Federalists' views of the Constitution than his party had been able to impose during its tenure of power. They had no doubt understood that the Supreme Court could adjudicate upon the legality of Acts of Congress, but no express recognition of that power appears in the Constitution. Marshall established the principles (i) that the Supreme Court could disregard any act of Congress or of a State legislature which it thought contrary to the Federal Constitution, (ii) that Congress could pass an act enabling litigants to

[1] R. L. Schuyler, *Const. U.S.A.* p. 179.

appeal to the Supreme Court against a State[1] (thus implicitly denying the sovereignty of the States); (iii) that all means which are appropriate and are not prohibited are constitutional, provided that the end is within the scope of the Constitution; and (iv) that legislation impeding inter-State and foreign commerce and the means by which it is carried on is invalid[2]. The American people might not yet have a national character, but Marshall prepared the way for a national court of law. It is an ironic comment on the designs of men that Marshall's power to pass upon Acts of Congress should next have been used, in the Dred Scott case, to provoke a civil war.

Marshall's decisions were accepted, it is said, because people believed them to be correct interpretations of the law. But much law is made by interpretation, and Marshall's judgments assuredly came within the category of case-made law. People accepted them because his reasoning made it clear that opposite conclusions would have been fatal to national government. Jefferson's own distrust of central government had been mainly due to the fact that it was in the hands of Federalists whose aristocratic, monarchical, and British bias he disliked. When he

[1] *I.e.* their own State, not another, for that was excluded by the 11th Amendment; see above, p. 111 *n.* 1.

[2] *Ency. Brit.* 11th ed. s.v. "Marshall, John." The standard work is Senator Beveridge's *Life of Marshall*, 4 vols. Boston, 1916–19.

came into power and saw how national government could be used as an instrument by the people for the people, his attitude changed, his Democracy became national rather than local, and his affection for States-rights diminished. States-rights, nullification, and secession were ever the refuge of minorities. Jefferson, in his Inaugural, declared absolute acquiescence in the decisions of majorities to be the vital principle of Republics[1]; and, as the Democrats became nationalist and then imperialist, the Federalists sank into the morass from which their rivals had emerged. The Louisiana Purchase, by which Jefferson doubled at a stroke the area of United States territory, was a striking proof of Democratic conversion; and Jefferson himself began to talk of the "nation," a word which the Constitution had eschewed[2]. Federalists denounced the purchase as unconstitutional: it was certainly not among the powers enumerated in the Constitution; and in their resistance to the admission of Louisiana as a State, the Federalists urged that it would be the right and duty of several States to prepare for secession "amicably if they can, forcibly if they must."[3] They were brought even nearer to secession in their opposition to the war of 1812.

1 *Works*, VIII. 1–6.

2 Henry Adams, *Hist.* ii. 84–5.

3 *Annals of Congress*, 11th Congress, 3rd Session, 524, 540; Johnston and Woodburn's *American Orations*, I. 182. The quotation is from a speech by Josiah Quincy (1772–

That war is often called in America the Second War of Independence[1], and some of its consequences justify the description. Following upon the French and British blockades and the American Non-Importation Act and embargoes[2], it compelled the United States and particularly New England to develop manufactures of their own, not only to provide them with goods they could not import but to supply a market for raw materials which they could not export; and with the growth of manufactures the United States secured an increasing economic independence. Political advantage also accrued from the striking naval successes won by the new American navy. Jefferson's policy of mere coast defence had been rapidly abandoned, and American shipyards turned out frigates superior in armament and speed to those of Great Britain herself. While the burning issue of impressment[3] was not mentioned in the

1864); it is somewhat differently worded in *Ency. Brit.* 11th ed. XXII. 753, where the speech is described as "probably the first assertion of the right of secession on the floor of Congress"; the Kentucky and Virginia resolutions were, of course, passed elsewhere. The phrase was constantly used in subsequent movements for nullification or secession.

[1] Channing (Camb. Hist. Ser.), p. 197; Farrand, p. 124.

[2] MacDonald, *Source-Book*, pp. 282–4, 288.

[3] The extent of it was grossly exaggerated (Channing, IV. 481–3), and, on the other hand, an American captain remarked in 1803 that the greater part of his crew consisted of English subjects not naturalized in America (*ibid.* IV. 370).

treaty of peace and Great Britain did not formally abandon her claims for another forty years, the results of the naval encounters induced a greater respect for American claims to consideration as an equal in international relations. On the other hand, the conquest of Canada, which is said to have been "the immediate object of the war,"[1] failed of achievement; and from the Canadian point of view the conflict was a second successful war of independence against the United States. Canada was not to be included in American nationality, but the people of the United States realized their own nationality to a greater extent than before. "They ceased," we are told, "to be provincial and viewed affairs thenceforward from a national standpoint."[2]

But the national tide, like other tides in the affairs of men, keeps going out as well as coming in; and the flow in one direction is the ebb in another quarter. Nationalism in the South engendered Nullification in New England, and the new Unionism of the Democrats fomented disruption among the Federalists. The embargoes, non-intercourse acts, and belligerent policy of Jefferson and Madison had almost ruined New England shipping; and Massa-

[1] A. B. Hart, *Foundations of American Foreign Policy*, p. 63; cf. Farrand, *Development of U.S.A.* pp. 104–9.

[2] Channing (Camb. Hist. Ser.), p. 197. Cf. K. C. Babcock, *Rise of American Nationality*, 1906.

chusetts well-nigh declared itself independent in its opposition to the second war of independence[1]. The militia of the northern States refused to cross the frontier into Canada; they were enlisted, they said, to defend their States and not to invade foreign territory. "Instead of one nation," complained President Madison, "we were acting as two in the face of the enemy."[2] New England furnished supplies for British troops, and Great Britain exempted Massachusetts, Connecticut, and New Hampshire from the blockade. Religious pacifism combined with economic distress to encourage political secession. "Abandoned by the government except for taxation," wrote a New England Congressman at Washington, "we must defend ourselves."[3] States armies were suggested, and it was proposed that the States should commandeer the national taxes. Newspapers talked of a "new Federal edifice"; a Convention met at Hartford in the winter of 1814–15; and Federalists, basing themselves on Madison's Virginia resolutions of 1798, propounded at the Capitol similar claims for New England. A very imperfect national unity

[1] The South naturally magnified, while the North minimized, this "secession" movement. A very reasonable estimate is given in Channing, IV. 558–64, and a full and impartial account in S. E. Morison's *Life and Letters of Harrison Gray Otis*, Boston, 1913.

[2] E. P. Powell, *op. cit.* p. 214.

[3] *Ibid.* p. 220.

made it a boon for the United States as well as for England that peace was signed at Ghent on 24 December, 1814, before the Hartford Convention got farther along the road to a Northern secession[1].

The movement destroyed the Federalist party. It could muster but fourteen votes when Monroe, one of Madison's "despotic" triumvirate—composed it was said "of two Virginians and one foreigner"[2]—against which New England had repined, was elected to succeed Madison as the fourth President of the Virginian dynasty. The party could only number one vote in 1820, when Monroe was re-elected, and that was cast against him on the principle that confidence such as was implied by unanimity might be good for Washington, but was bad for any possible successor. Nationalism seemed firmly seated in the saddle, and the Democrats revived the National Bank, which had been one of Hamilton's centralizing schemes. He had thought it as necessary for the stability of the American Constitution as William Paterson had

[1] See Report of the Hartford Convention in MacDonald, *Source-Book*, pp. 293–302. The principal articles of the Treaty of Ghent are also given, *ibid.* pp. 289–93.

[2] The description was Josiah Quincy's (Powell, p. 218). The Virginians were Madison and Monroe, and the "foreigner" was Albert Gallatin, a Swiss by birth, but one of the ablest of American financiers. An almost unique collection of his state papers, made by Manton Marble, is now at the Institute of Historical Research, London (see its *First Annual Report*, p. 19).

thought the Bank of England for the Revolution of 1688, though the Constitution had no more expressly authorized its creation than it had Marshall's interpretation of the powers of the Supreme Court. The First National Bank had been created by Act of Congress in 1791, and it successfully wedded the moneyed interests to the government; but its charter ran out in 1811, when the Democrats refused to renew it. The second, however, was created in April 1816[1], and in the same month Congress adopted a fresh tariff intended to protect what Madison called the "infant industries" of the United States. Oddly enough in view of later history, the tariff was denounced in New England as "a mere continuance of that scheme of commercial restriction and governmental interference which has involved the country in so many calamities"[2]; and it was passed by the votes of the South and the West. Yet the South came in time to rank Protection with the Abolitionist movement as the twin tyrannies which drove it into secession. The inducement for the West, which on this occasion supported the South, consisted in the proceeds of the tariff which were to be applied to "internal improvements," chiefly in the way of communications;

[1] Text of the Act in MacDonald, *Source-Book*, pp. 302–6.

[2] J. W. Moore, *Hist. of Congress*, p. 219; Farrand, *op. cit.* p. 115. See generally Taussig, *Tariff History of the United States*, 4th ed. 1898.

and this "American system" as it was called—in distinction from the old colonial system—was an expression of a desire alike for economic independence and for national organization. In the same month that Congress chartered the Second National Bank and adopted its first high tariff for national Protection, Stephen Decatur, one of the heroes of the naval war, gave at a banquet at Norfolk his famous toast: "Our country! In her intercourse with foreign nations, may she always be in the right; but, our country, right or wrong."[1] Two years later Congress approved of the final design for a national flag, and on 13 April, 1818, the familiar Stars and Stripes first floated over the Capitol[2].

The country had entered upon a period of self-sufficiency and exhilaration. America *fara da se*. Henry Clay had boasted in 1812 that "the militia of Kentucky alone are competent to place Montreal and Upper Canada at your feet."[3] That event did not come off; and after the peace, the United States turned to cultivate and extend in other directions its vast domains. "The American people," says Prof. Channing, "which up to that time had been interested in European affairs, seemed suddenly to lose all

[1] A. Slidell Mackenzie, *Life of Stephen Decatur* (Jared Sparks' Libr. of Amer. Biography, 2nd Series, vol. XI.), p. 295. Boston, 1846.

[2] Moore, *Congress*, p. 221.

[3] Channing, *Hist. U.S.A.* IV. 456.

interest in them." "It was only after the war of 1812," writes Prof. E. D. Adams, "that America turned her gaze inward upon herself."[1] No American party henceforth would be called a French or a British party, and any kind of hyphen was to become anathema to nationalists whose ideal was a hundred-per-cent. American. American parties and Ku-Klux-Klan conspiracies were to appear in a few decades, pledged to exclude all foreigners and Roman Catholics from federal, state, county, and municipal office, and to vote for no one not American-born and a Protestant[2].

The wind set dead against the catholic and the citizen of the world, and veered right round to the opposite point of the compass to that whence blew the blast of the Revolution. The 11th Amendment had been passed in 1798 to protect the sovereignty of the States against the natural right of man to sue for justice; American courts, in spite of Jefferson's contention that the right of expatriation was a natural law, adopted the old-world view that allegiance—at least American allegiance—sticks for ever; American diplomatists acknowledged the doctrine to be sound[3];

[1] *Ideals in American History*, pp. 68–9.

[2] Moore, *op. cit.* p. 352; Rhodes, II. 51–6, 88; Woodburn, *Parties*, pp. 44, 84, 139.

[3] Pollak, *Fifty Years of Idealism*, p. 97. It had, indeed, been asserted by Chief Justice Ellsworth as early as 1799. See Henry Adams, *Hist.* ii. 337–8; Channing, IV. 367, and

and Congress in time came to demand the total exclusion of some foreign nationalities from the asylum for mankind. Out of the melting pot there came forth an image graven with features as distinctive as any which marked the people of an old and nationalistic world. Like the European philosophers of the eighteenth century, the Fathers of the American Revolution had sought what was common to mankind. Like the historians and the nationalists of the nineteenth, the American people sought to emphasize what was distinctive of the nation. "The American nation, with its back to Europe and its face to the West, addressed itself to the solution of the problems of the nineteenth century."[1]

authorities there cited. Jefferson's contention is in his *Summary View of the Rights of British America* (1774).

[1] Channing, *Hist. U.S.A.* IV. 564.

CHAPTER IV

"New Birth of our New Soil"

"ISOLATION," it has been said, "is not a policy but a predicament."[1] The precariousness of the predicament depends upon whether the isolated people are citizens of an island, or a continent. Great Britain boasted of "splendid isolation" while she possessed command of the sea and held in her hands the balance of power; and the United States was content enough with the "isolation" of half the world. The policy, however, becomes a predicament when a people grows too big and the world becomes too small to avoid inevitable contact; and both the expansion of the American people and the contraction of the world, by steam and electricity, prevented isolation from being a permanent possibility.

Nor was "our political hemisphere," as Patrick Henry called it as early as 1788[2], quite so simple an entity as the phrase would seem to imply. It is true that wars of independence in the Spanish colonies simplified the hemisphere politically by committing most of it to republican principles. But the insurgent

[1] American Foreign Policy Association's *Pamphlets*, 1923–4, No. 21.

[2] S. E. Morison, *Documents*, p. 329.

republicans of Central and South America no more remained citizens of the world than did those of the United States; and Bolivar's programme of "America for the Americans" was no prophylactic against wars between Mexico and the United States, or between Chile and Peru. Nationalism in the United States, then in South and Central America, and finally in the Dominion of Canada precluded a Pan-American citizenship of the hemisphere and saved man from the schism of the world. Hemisphericalism was not fated to be a middle term between affection for the nation and affection for mankind.

This hemispherical doctrine is supposed to be the gospel according to Monroe[1], and an English schoolboy is said to have described it as the religion of America. But it is doubtful whether that somewhat fortunate President was either capable or desirous of all that has been attributed to his inspiration or to that of his Secretary of State, John Quincy

[1] The literature on the Monroe Doctrine is immense. For the text of the President's message, see MacDonald, *Source-Book*, pp. 318–20, and references. I need not repeat here what I said in a lecture (Nov. 1917) printed in *History* for April 1919. For a more recent and authoritative exposition of some of its aspects, see Prof. S. E. Morison in *Economica* (London School of Economics), Jan. 1924 and in *Rev. des Sciences Politiques*, April, 1924. Cf. also (Sir) Theodore Andrea Cook in the *Fortnightly Review*, Sept. 1898, and Morton Fullerton in *Revue de Paris*, 15 April, 1916.

Adams. The Monroe doctrine was as dubious in its origin as it is doubtful in its interpretation and disputable in its results. But in spite of the fact that "Congress has never adopted or sanctioned" it "in any way," it is claimed on the one hand to have "always had the entire approval" of the American people; and on the other to be "a worn-out formula."[1] It has clearly served them as well as the no less ambiguous doctrine of the Balance of Power has served the British Empire[2]. Eight American statesmen at least, besides Monroe himself, have expounded or expanded the doctrine in various ways and different senses, Presidents Polk, Cleveland, and Wilson and Secretaries Webster, Blaine, Olney, Root, and Hughes. Polk's exposition of Monroe's assertion that "with the existing colonies or dependencies of any European power we have not interfered, and shall not interfere" took the very practical but somewhat startling form of annexing half of Mexico, scheming to get Cuba, and claiming a considerable part of what is now the Dominion of Canada; and Olney's was nearly as remarkable when he announced in his despatch on the Venezuela

[1] J. W. Moore, *Congress*, pp. 230–2; A. B. Hart, *Amer. For. Policy*, p. 215. A Tammany orator once described it as "that immortal Monroe Doctrine which blesses and revivifies the world" (*ibid.* p. 211).

[2] See my art. in *Journal of the Brit. Inst. of International Affairs*, II. 51–64.

dispute in December, 1895, that "any permanent political union between a European and an American State"—as, for instance, between Great Britain, France, and Holland and the three parts of Guiana, or between Great Britain and Canada—"is unnatural and inexpedient."[1]

Doctrines, however, have a habit of being stretched to cover all sorts of political conditions and controversial exigencies; and it is more pertinent from the historical point of view to remark that Monroe's presidential message to Congress in December, 1823, was a normal survey of the existing situation and a responsible indication of the attitude of the American government to the immediate questions at issue, couched in language only intelligible by reference to its meaning a century ago. When, for instance, he said that the American continents were not henceforth to be considered as "subjects for future colonization by any European Powers," colonization meant what we should now call exploitation, for even Great Britain had no self-governing Dominions then; it did not mean that Canadians could not move west like other American people. And when he talked about the "Allied Powers" extending their "political system" to either continent, he meant the Holy Alliance, to which Great Britain had never subscribed, and its political system to which Canning

[1] A. B. Hart, *Amer. For. Policy*, p. 222.

was as much opposed as Monroe himself. The Monroe Doctrine was, as Disraeli said on 16 June, 1856, "the doctrine of isolation."[1] It was enough for the United States to constitute itself the guardian of independence in America and to make one hemisphere safe for democracy. The Bourbons were not to reconquer the South American colonies, and the Tsar was not to push his despotic dominion southward from Alaska. But these prohibitions would only be tolerable if accompanied by a self-denying ordinance on the part of the United States to abstain from propaganda in Europe and in European colonies.

There is no reason to suppose that Monroe by "hands off America" meant a free hand for American annexation by the United States, though that suspicion soon arose in other parts of the hemisphere; and from the first Pan-American Congress at Panama in 1826 to the latest treaty in 1924, attempts at American co-operation and the objects of the International Bureau of American Republics at Washington have suffered from the predominance of the United States and inconsiderate references to its

[1] *Cambridge Hist. of For. Policy*, II. 277, quoting Hansard, *Debates*, CXLII. 1509–13. This, like every other interpretation of the Monroe Doctrine, has been disputed. "It is evident," writes a correspondent in the *New York Times* (11 Dec. 1924), "as has recently been emphasized by Prof. Pitman Potter, that the Monroe Doctrine is not a policy of isolation."

practical sovereignty[1]. But these obstacles were not of Monroe's making. His acquisitions were limited to what was gained by the agreement of 1818 with Great Britain upon the 49th parallel as the Canadian frontier between the Lake of Woods and the Rocky Mountains, and to the purchase of East Florida from Spain. It was left for a later administration to acquire vaster domains by more violent methods and to proclaim it as "manifest destiny" that all European possessions in the western hemisphere should fall under the government of the United States.

Nor was it Monroe's party that brought the charge of spread-eagleism[2] upon the United States. It is true that Jefferson had made its greatest acquisition in Louisiana, which extended in 1803 from the Gulf of Mexico to the Canadian frontier and from the Mississippi to the Rocky Mountains, and comprised some 800,000 square miles. But he bought it from Napoleon for 15 million dollars[3]—the cheapest bargain from the American point of view and the most spendthrift from the French that either or any other

1 "In South America that sentence of Secretary Olney's is on file in every newspaper morgue, and in every statesman's library, and in every public and university library" (*For. Policy Assoc. Pamphlets*, 1923–4, No. 21). See also J. H. Latané, *The United States and Latin America*, 1920.

2 See G. F. Train, *Spread-Eagleism*, 1859.

3 MacDonald, *Source-Book*, pp. 279–82, and references there given.

country ever struck—and the purchase of land which Napoleon had stolen from Spain was a comparatively innocent method of acquisition, even though Spain protested. The methods and the acquisitions on which American historians are most severe were those of a new Democracy, more radical and more imperialistic than the Republican Democrats whom Jefferson had led to victory in 1800, and whose tenure of power was nearing its end when in 1825 Monroe concluded his second term of office. The President who interposed his shield and his doctrine between the Spanish colonies and the Bourbons was not the President who gave colour to the charge that the American arm had been stretched out, less to ward off Spanish blows, than to cut off Spanish protection, and that the Monroe Doctrine was intended less to prevent European, than to promote, American conquest.

We may perhaps hazard the conjecture that the real significance of the Monroe Doctrine lay in its obscure premonition of what the West would bring forth for an America that was turning its back upon Europe. There towards the setting sun was turning the vigour of American youth in the days of Monroe, though its effects were not seen in his time; and this westward trend determined the course of American history in all its main aspects for more than a generation. Out of the America west of the Alleghanies

came the aversion from Europe; from that vast territory beckoned the dreams of expansion which captured the minds of the Democratic Presidents Polk and Pierce and Buchanan; in the West arose that new Democracy which dethroned the Virginia dynasty and revolutionized American politics; and finally in the West was found that fulcrum of unity which saved the Union from disruption. These things were but dimly seen, if seen at all, in 1823. Nevertheless Monroe's message waved farewell to Europe from a people which would not turn its gaze eastward again until it had settled its western home and achieved its place in the sun.

The "Era of Good Feeling," which had been signalized by the disappearance of the Federalist party and Monroe's unanimous re-election in 1820, hardly outlasted his second term. There may have been an ironic synchronism between that unanimity and the Missouri Compromise of that year upon the slavery question[1]. But slavery was not the issue upon which the new party division arose during the presidency of the second Adams, as the original Federalist-Democrat division had arisen under the presidency of his father. Excepting these two, no one not a Virginian had yet been President, and all the Virginians, but neither Adams, had achieved a second term of office; for a whole generation the

[1] Documents in MacDonald's *Source-Book*, pp. 311–17.

United States had been governed by a landed aristocracy. The new movement naturally represented a revolt against the Virginian dynasty, and was an expression of new forces which came into American politics owing to the prodigious development of the West and to popular dissatisfaction with a congressional caucus, which under the forms of democracy managed the politics of the country in the interests of a political clique.

It found an appropriate leader in Andrew Jackson, whose motto "let the people rule" indicated the trend of Jacksonian Democracy against what President Wilson has called "the authority of a trained, experienced, disciplined minority."[1] He was of humble origin, was born on 15 March, 1767, in what was almost frontier country at the time, and came of the recent Scoto-Irish immigrants who expressed the pre-Revolutionary discontent of the small upland folk of the Carolinas against the wealthy planters of the coastal plains. He had distinguished himself first by his violent opposition to Washington[2], then by his friendliness with Aaron Burr, by his frequent duels

[1] Woodrow Wilson, *A History of the American People*, III. 237. Cf. Woodburn, *Political Parties*, 1903, pp. 35–7.

[2] Cf. Jefferson's description of Jackson's behaviour as senator, quoted in F. J. Turner, *The Frontier*, p. 253; Jefferson was twice President of the Senate. Jackson's correspondence is now being edited by Prof. John S. Bassett of Smith College, Northampton, Massachusetts.

with political opponents and sometimes with his friends[1], by the military capacity he showed in his victory at New Orleans in 1815, by the recklessness which led him during the Seminole war to seize and execute two British subjects, and by the insubordination which earned him the censure of such diverse statesmen as Jefferson, Monroe, Clay, and Calhoun. Nominated for President in the campaign of 1824, he was defeated through a combination, called the "corrupt bargain," between John Quincy Adams and Clay, by which Adams became President and Clay his Secretary of State. Jackson had his revenge in 1828, when, largely through the popular electoral organization then first brought to bear upon a presidential campaign, he received 178 votes in the electoral college against 83 cast for Adams. He was re-elected in 1832 by 219 to the 49 votes for Clay, and was succeeded by Van Buren in 1836.

"Europe," wrote Emerson in 1844, "stretches to the Alleghanies; America lies beyond."[2] "The West," says Lord Bryce, "may be called the most distinctively American part of America, because the points in which it differs from the East are the points in which America as a whole differs from Europe."[3]

[1] *E.g.* with T. H. Benton in 1813. "The fights in which he had been engaged exceeded belief" (Henry Adams, *Hist.* i. 54).

[2] Quoted in Max Farrand, *Development of U.S.A.* p. 141.

[3] Bryce, *American Commonwealth*, 3rd ed. 1898, II. 311.

It was this real America which in the person and party of Andrew Jackson came into office in 1829. He represented Tennessee, and Tennessee with Kentucky lay west of the Alleghanies and stood in his day for that pulsating vigour of enterprise and expansion which have characterized the moving frontier of the United States. That "frontier" has been described in a somewhat Hibernian phrase as "the central force in American history"[1]; and it owed its importance to the fact that, like the British Constitution in De Tocqueville's words, "it did not exist."

It was the absence of all those characteristics and consequences, which we associate with European frontiers, that gives the American frontier its peculiar significance[2]. France and Germany were made into militarist states by the concrete of their frontiers: on either side were dense populations, congested armies,

[1] Morison, *Documents*, p. xvii *n.* Subsequent writers on the Frontier have been mainly indebted to Prof. F. J. Turner's *The Frontier in American History*, one of the most stimulating and original books in recent historical literature.

[2] Americans make a distinction, which we do not, between frontier and boundary which is due to the difference between American and European conditions. In Europe a frontier is a line which Americans call a boundary. Their frontier is an area within their boundaries and is defined by a percentage of population. "In census reports it is treated as the margin of that settlement which has a density of two or more to the square mile" (Turner, p. 3).

and almost continuous fortifications; and the search for "security" determined both policy and mentality. Prussia grew out of the northern, and Austria out of the eastern, frontier of the mediaeval empire. The products of the American frontier were radicalism and democracy. There was nothing concrete about it; even where the boundary was fixed in the north it was an astronomical line. Elsewhere it was always fluid until it reached the Pacific, the outward edge of a wave, where "soon shall roll a human sea,"[1] more significant as a condition of society than as an area, and more important as an influence in political evolution than as a cause of endemic strife. Either France or Germany could have ruled the world, had it been able to devote to colonization half the energy it has spent in neutralizing the other's efforts on their common frontier; and the predominance—not to mention the virtues—of English-speaking peoples owes not a little to the facts that one of them had for its frontier the sea, and the other had no European frontier at all.

An Englishman can best understand what this "frontier" has meant to the United States when he tries to imagine what it would have meant to Great Britain if the Dominions had been conterminous with the mother country instead of being severed by thousands of miles of sea; if evicted peasants and yeomen,

[1] Whittier, *Poetical Works*, p. 326.

instead of being reduced to hired labourers, had had within their reach limitless land for the taking; if in winning those lands they had had to depend on their own inventiveness and individuality, and in response to those needs had developed the self-reliant habits and self-governing institutions of their kinsmen overseas; if those experiments in self-government, instead of being tried by Antipodean governments, had been tried by a united commonwealth; if the politics and the society of the Dominions had been pooled with those of Great Britain, and the freshness of the pioneer and the experience of the frontier had directly reacted from year to year upon the mentality of the electorate in the mother country; if, in short, the United Kingdom were ruled by its Dominions as the thirteen original United States are ruled by the thirty-five States they have colonized and created[1]. It is certain, for one thing, that the British Empire would be much more like the United States, and the Dominions less different from one another and from the United Kingdom. The greater diversity is, perhaps, the greater ultimate good "lest one good custom should corrupt the world"; but it increases the difficulty of islanders understanding what the frontier implied for the American people.

[1] These thirty-five creations of the Union can now—with the help of but one of the original States—make any amendment they choose to the parent Constitution of 1787.

It began, with its problems, as soon as the colonists had established themselves on the Eastern coast, and the hunter, the fur-trader, and the pioneer became "home-seekers," not in the old-world sense of returning whence they had come, but in the American sense of settling where they had never been before. At first there was small opportunity for expansion and little scope for social differentiation. The colonists were tiny bands, and close formation was needed for self-defence; as in all primitive communities, every man had to do a little of everything. But gradually the hunter, the fur-trader, and the pioneer penetrated inland, the Indians fell back from the coast, and colonial society began to develop the familiar successive types of pastoral, agricultural, commercial, and industrial occupation. Each rose, so to speak, on the shoulders of the other; but, as each developed, it also spread; and a contour map indicating the social structure of the United States would exhibit a great variety of elevation. Everywhere there would be the same strata for foundation representing the primitive conditions; but in the East were added the more refined deposits of civilization, culminating in professional and official classes. Westward the edifice would decline in height until there was only the frontier and beyond it the virginal prairie or the untamed forest.

That is part of the story. But basic man finds it

easier or more attractive to spread himself than to climb the social ladder; and individuals, unable or loath to convert themselves from shepherds into farmers, from farmers into merchants, and from merchants into captains of industry, sought fresh woods and pastures new. The eagle was "mewing her mighty youth," not as Milton saw the England of the Great Rebellion "a great and puissant nation rousing herself like a strong man after sleep and shaking her invincible locks," but by a recurrent re-birth of society. America does not belong to one age alone, and her living people consist of many generations. The east might wax old like a garment, but the frontier was always reverting to nature as further it moved towards the west. That is why the nation is still so young. Some of its parts have reached the most finished phases of social development and are almost as *blasé* as Europe itself. But in the real America which lies beyond the Alleghanies they are—or were till the end of last century—beginning all over again and repeating in each community the experience of mankind and the progress of civilization. American society is a graduation which begins with faith in the pioneer and ends with trust in the Corporation.

The picture is not all of one colour. It was retrospective imagination which led Wordsworth to say that "to be young was very heaven." There was more

than heaven that lay about the infancy of the frontier, and the pioneer trailed other things than clouds of glory from his home. Growing pains tempered the pleasures of youth, and the historian of the frontier himself has not hesitated to remind his readers that the farthest edge of the flowing tide consists very largely in "a line of scum."[1] As the pioneer stepped from the railroad car into his birch canoe and doffed his city garb to don the hunting shirt and the mocassin, he did not merely dress like the Indian with whom he was going to deal, and he put off more than the veneer of civilization. He became a part of his environment: the frontier lay midway between the refinements of society and the savagery of the wilderness; and the pioneer was a cross between the friends he left behind and the foes he went to meet. Nor did he always abandon his bowie knife and his revolver when he had finished with the Indians[2]; and some of the methods of border warfare survived in American politics, at least so long as the frontier remained an important factor in American society. It disappeared towards the end of the nineteenth century. Settlement had reached the Pacific coast fifty years earlier and gradually it had occupied the intervening space. "The frontier," remarks the Superintendent

[1] F. J. Turner, *The Frontier*, p. 33 *n.*

[2] Cf. Everett's remark about "the sharp logic of the revolver and the bowie-knife," quoted in Rhodes, II. 84.

of the Census for 1890, "cannot therefore any longer have a place in the census reports."[1] The effects of its disappearance as an element in American politics will determine their course for the rest of the present century.

That does not in the least imply the disappearance of that difference between East and West which has had so much to do with American history ever since the earliest colonial period. The pioneer and the hunter give place to the farmer and the miner, both of which occupations provide more time and opportunity for politics than blazing the trail or trapping the beaver. Politics are an affair of society; the lone forerunner has to solve his problems by himself. The politician only emerges when groups and communities find themselves at issue over diverse interests, and the issue was commonly that between those who had money to lend and those who needed to borrow. The East was the creditor and the West the debtor. Land might be free enough, but it required capital for cultivation. The East itself was once the frontier of the Empire, and the whole of America was long a debtor to the old world. But, as Bryce has suggested, the marks which distinguished America from Europe became still more the marks which distinguished the east from the west of the Alleghanies. Even before the Alleghanies were

[1] F. J. Turner, *The Frontier*, p. 1.

reached, each colony had its east and its west, its merchant and its farmer, its creditor and its debtor; and the debtor, as always, wanted a cheap and plentiful currency in which to pay his debts, silver or paper rather than gold, and adequate banks to provide it and State legislatures to make paper money legal tender.

The refusal of these facilities, whether by the English Parliament in the interest of English creditors or by colonial legislatures in those of American lenders, was ever the principal cause of discontent. Five thousand believers in paper money in Massachusetts once threatened to march on Boston to inspire confidence in its credit; and John Adams in 1774 declared that the English Parliament, in applying to colonial banks the restrictions of the South Sea Bubble Act of 1720, "raised a greater ferment" in Massachusetts than did the Stamp Act[1]. One of the victims of that Act was the father of Samuel Adams, the most radical of the leaders of the Revolution[2]. The establishment of a paper-currency and the payment of taxes in that medium were among the demands of the discontented alike in the Regulator movement of North Carolina in 1769 and in Shays's rebellion in Massachusetts in 1786. One of the

[1] *Works*, IV. 59, quoted by J. T. Adams, *Revolutionary New England*, p. 159.

[2] *Amer. Hist. Rev.* April 1924, p. 569

Federalists' complaints of State legislatures was that "they run into schemes of paper money, etc. whenever solicited by the people"[1]; a principal object of the Constitution, wrote Hamilton, was "to restrain the means of cheating creditors"; and one of the main motives of the opposition was "a distrust of men of property or education."

From colonial days down to the Greenback movement of the eighteen-seventies, the Free Silver party, the Bimetallism and Populism of the 'eighties and 'nineties, and Mr Bryan's presidential campaign of 1896 with its proclamation "You shall not crucify mankind upon a cross of gold," an elastic financial standard was ever the demand of the debtor West against the gold of the creditor East. One man's food was another man's poison, and the borrower's debt was the creditor's capital. The conservative had no objection to debt so long as it was national and both interest and capital were guaranteed by the Union. Jacksonian Democracy, on the other hand, was quite as anxious as any Labour Party could be to reduce the national debt, and it was more successful; for on 1 January, 1835, Andrew Jackson paid off the last instalment of the national debt incurred in the War of Independence. At the same time he destroyed the Second National Bank, "the monster" as he called

[1] S. E. Morison, *Documents*, pp. 84–5, 208, 248; R. L. Schuyler, *Const. U.S.A.* pp. 130–1.

it[1], and distributed its deposits among the banks of the various States which were issuing lavish supplies of paper money.

Debt had a good deal to do with Democracy, and the Democratic Party had also a good deal to do with slavery. But it was a singular coincidence of interest that brought together, for a time, the West which wanted cheap land and the South which wanted cheap goods. As against them, the North wanted cheap labour; and cheap labour was always hard to get in the States except from the negro slave who was thought useless in the North owing to the climate and his lack of manufacturing skill. The reason for dearness of white labour was early realized in the colonial period. "No man," wrote an anonymous author in 1755[2], "will be a servant whilst he can be a master"; and the high wages paid to all colonial workmen was due to the presence of free land and the opportunities afforded to the agriculturalist to rise from the wage-earning to the propertied class[3]. New England manufacturers were therefore none too friendly to free land. John Quincy Adams, no doubt, was genuinely anxious to retain the public domain as a treasure-house for the nation, but others wanted to keep it from

[1] J. W. Moore, *American Congress*, p. 297. For documents see MacDonald, *Source-Book*, pp. 320–9, 344–53, 355–60.

[2] *State of the British and French Colonies in North America* (London, 1755), p. 141.

[3] J. T. Adams, *op. cit.* pp. 115, 210, 256.

tempting their workmen to stray in that direction[1]. If they could not do that, they must have a high tariff to compel the community as a whole to pay the high wages to keep their workmen; and the tariff mounted rapidly from 1816 to 1828. That year's "bill of abominations," as it was called, caused an outcry which materially helped Jackson's Democratic campaign; and recurrence in American history extends to the regularity with which high tariffs helped Democratic candidates into the President's chair[2].

The burden of Protection was felt most severely in the South, where slaves and fugitive slave laws secured the owners against the loss of labour through migration to free land, and soil and climate afforded an ample protection for cotton, tobacco, and rice. The monopolists of these products denounced the protection which made them pay so dearly for Northern manufactures. Were these "infant industries," they

[1] One member of the House deplored the acquisition of Louisiana because he "feared the vast extent of our empire and the effects of the increased value of labour" (A. B. Hart, *op. cit.* p. 202).

[2] See below, pp. 222–3. The protests of South Carolina and Georgia against the tariff of 1828 are printed in MacDonald's *Select Documents*, Nos. 44 and 45. Students require a bibliographical note on Prof. MacDonald's collections of documents. They are (1) *Select Charters and other Documents*, 1606–1775, (2) *Select Documents*, 1776–1861, (3) *Select Statutes and other Documents*, 1861–1898, and (4) *Documentary Source Book of American History*, 1606–1898. The last is a condensed selection from the first three.

cried, "never to come to maturity"? And in the name of free trade, South Carolina in 1832–3, raised the standard of nullification, declared the tariff unconstitutional, and played a prelude to the greater secession of 1861. "The people of these United States," averred the resolutions of the majority in Congress, "are, for the purposes enumerated in their Constitution, one people and a single nation." To say, retorted Calhoun on behalf of South Carolina, "that the people of these United States . . . are now or ever have been . . . formed into one nation or people is not only without foundation in truth, but contrary to the most certain and plain historical facts and the clearest deductions of reason." Such conclusions, he contended, must lead to "a consolidated government without constitutional check or limitation," and "must necessarily terminate in the loss of liberty itself."[1]

But South Carolina stood for the moment alone. The ruin of her port at Charleston, which the high tariff threatened, was not a general grievance in the South; and Henry Clay intervened with one of his characteristic compromises. The West lay behind it, as it ultimately lay behind the victory of the North

[1] Moore, *American Congress*, pp. 283–4. The South Carolina Ordinance of Nullification, 24 Nov. 1832, is in MacDonald's *Source-Book*, pp. 329–333. It is followed by Jackson's vigorous "unionist" proclamation of 10 December and by the "Force Bill" of March, 1833 (pp. 333–43).

in the Civil War. In 1816 the West had been induced to support Protection by the prospect of proceeds to be devoted to the improvement of communications. But in 1832, complained John Quincy Adams, the South had "bought the co-operation of the Western country by the bribe of the Western lands"[1]; and Clay, although he professed that there were "no Alleghanies in his politics" was forced to proffer the gradual reduction of the tariff of 1828 to a uniform level of 20 per cent. The West is thus said to have countered the sectional politics of the North-East; but whether the "American system" of paying for internal improvements by a general tariff was more sectional than a national gift of free land to the West might be a matter of dispute. An American system which made the whole country pay dear for its imports might logically mean that the West should pay something to the nation for public domain. The Democrats were, however, consistent in their bargain between the South and West which linked a low tariff with cheap land. They are still a low tariff party; they continued to press for further reductions until the Civil War, when the victory of the Republicans established freedom for the slaves and high Protection for themselves.

Western Democracy had long been weaned from the separatist view of States-rights which had cha-

[1] Turner, *The Frontier*, p. 26.

racterized the Jeffersonian resistance to the Federalists; and national democracy took the place of States-democracies. Even Virginians ascribed the recantation to the passion for internal development. The further the frontier moved west, the more it needed canals and railways, and the more had the Western States to be "hitched to the Federal car."[1] The Mississippi itself taught a lesson in unification, and it was learnt more readily by the mobile classes than by those whose property was sunk in a particular spot and tied them to a particular State. A description of the forces which led to the formation of the Commonwealth of Australia[2] is almost as applicable to those which averted secession in the United States:

> Jealous as the manufacturers and merchants of the several States were of each other, their feeling did not extend to their employés. The employer was a good deal bound down to the place he lived in; the employé was free to migrate from city to city, wherever the pay was best. Indeed, beyond the seaport influence, this freedom was even greater, and for shearers and miners it blurred State boundaries altogether; the federal spirit spread among the labour unions long before it reached the employing classes.

In the United States, it may be added, the South remained sectional largely because employers lived on plantations, and their employés were slaves, and

[1] The phrase was used in the Virginia Convention of 1829–30 (Turner, *The Frontier*, p. 29).

[2] *The British Empire*, ed. A. F. Pollard, 1909, p. 382.

because both, the one by affection or the other by force, were attached to the soil on which they laboured or lived. The South, too, attracted few immigrants, and immigrants were generally in favour of unification. They attached themselves to parties rather than to States, and in America the national organization of parties made up for the centrifugal tendencies of the States.

There was nothing like mobility and the development of communications for spreading infection, and social democracy on the frontier was ever re-acting upon stand-patters in the East. A surprising number of democratic ideas had been mooted or even adopted along the frontiers of the old colonies before the War of Independence, and among them were vote by ballot, election of judges and of army officers, one man one vote, and proportional representation. "The political fruit, so to speak, of the frontier was manhood suffrage and the general democratisation of the forms of government."[1] "Complex society," says Prof. F. J. Turner[2], "is precipitated by the wilderness into a kind of primitive organization based on the family.... The frontier individualism has from the beginning promoted democracy."

It had much to do with the original American

[1] Holcombe, *State Government in the United States*, 1916, p. 79.

[2] *The Frontier*, p. 30.

Revolution, and Virginia, which had as much influence as Massachusetts, was then very western in its characteristics. But the sea-board, while western from the European point of view, was developing an eastern conservatism towards frontier developments. Democracy may have been the agent in the Boston town-meeting and tea-party; but the Sons of Liberty did not control the Fathers of the Revolution, and one of the conservative characteristics of that Revolution is that, unlike other revolutions, it did not devour its children. Other indications were the facts that a right to a vote was not mentioned in the Declaration of Independence as one of the rights of man, and that the suffrage was a privilege dependent upon the possession of "a sufficient interest in the community," being often restricted to owners of land. In Massachusetts the freehold qualification was £3 a year against 40*s.* in Old England. In Virginia, complained Jefferson, "the majority of men in the State, who pay and fight for its support, are unrepresented in the legislature"; and even in the Northwest ordinance of 1787 the vote was denied to owners of less than fifty acres of land: the wage-earning classes were for the most part excluded from the electorate[1]. "Jealousy of a Western majority" caused a dispute between Gouverneur Morris and

[1] Holcombe, *op. cit.* pp. 44–6; McLaughlin and Hart, *Cyclopaedia of American Government*, 1914, III. 433–56.

Madison in the constitutional debates of 1787: "if," said Morris, "the Western people get power into their hands, they will ruin the Atlantic interests."[1]

In retaliation these Western people voted against what they regarded as an aristocratic and plutocratic constitution. In Pennsylvania they even rebelled in 1794. In Massachusetts the frontier vote mustered a minority of 168 against the 187 cast for ratification. New Hampshire ratified by 57 to 47, Virginia by 89 to 79, and New York, after a prolonged controversy which produced the famous *Federalist*, by 30 to 27. North Carolina held out till 1789 and Rhode Island till 1790.

Government was not yet the affair of the people, and their liberties consisted in the restrictions imposed upon it by the State and Federal constitutions. It was a limited trust, a government of "enumerated powers" which excluded control of the "rights of man." But for this fact, says Prof. Holcombe, "some of the original State governments would not have been people's governments at all, but oligarchies based upon wealth and masquerading under republican forms."[2] They would not have differed very much in fact from the principles laid down by Charles I on the eve of his execution when he wrote: "The true liberty of my subjects . . . consists not in

[1] S. E. Morison, *Documents*, p. 271.
[2] Holcombe, *op. cit.* p. 47.

the power of government but in living under such laws, such a government, as may give them the best assurance of their lives and property of their goods."[1] He, too, dreaded and denounced "an universal overswaying power."[2]

A genius for democratizing government while retaining old and apparently rigid forms has, however, characterized both branches of the Anglo-Saxon race; and "social democracy on the frontier inevitably gave rise to political democracy." Before the end of the eighteenth century, three new States formed out of frontier territory—Vermont, Kentucky, and Tennessee—came into the Union with the principle of manhood suffrage practically established. The example was infectious, though the older States were slower to follow it. Still, there were considerable extensions of the suffrage in Massachusetts in 1820, New York in 1821, Virginia in 1830, and Rhode Island in 1842[3]. Virginia also abolished entails and disestablished its Church. But the impulse came from the West. In the older colonies it was their western districts which carried the reforms and, generally speaking, the newer the State, the more

[1] S. R. Gardiner, *Const. Documents of the Puritan Revolution*, 1889, p. 285.

[2] *Ibid.* p. 27.

[3] See J. Q. Dealey, *Growth of American State Constitutions*, 1776–1914, 1915; and F. J. Stimson, *The Law of the Federal and State Constitutions*, 1908.

radical was the constitution it brought with it into the Union; for it was commonly adopted by a convention of pioneers and home-seekers who had left the older States to find or to found something new in the West.

For a whole generation from 1828 Jacksonian Democracy was practically in control of the Federal Government. The Whigs, indeed, won the Presidential elections of 1840 and 1848. But the party had a predilection for candidates who were military oes without any strong political views, and developed the superstition that only a general could lead it to victory[1]. General Harrison, who defeated Van Buren in 1840, died after a month of office, and his Vice-President, Tyler, who succeeded, was described as the "President without a Party." General Taylor, who became President in 1849, had Jefferson Davis as his son-in-law. He also died in office, and Fillmore who succeeded, had his feet rooted in compromise like Clay. Even when Whigs were Presidents, the Democrats often had a majority in one or other or both of the Houses; and the Whigs were soon hopelessly divided over the slavery issue, between what were facetiously called the Cotton Whigs

[1] Woodburn, *Parties*, p. 43; J. F. Rhodes, *Hist. U.S.A.* I. 253; Channing, p. 226. The weakness of the Whigs was due to the fact that they stood rather for opposition to the Democrats than on any political principle. Compromise was their bane.

and the Conscience Whigs.[1] Calhoun himself was a Whig, and the party ultimately perished in an effort to swallow the Fugitive Slave Law of 1850. The Democrats, who had had twelve years of office from 1829 to 1841 and succeeded in electing Polk in 1844, Pierce in 1852, and Buchanan in 1856, enjoyed a term of thirty-two years, broken only by half-hearted and divided Whig governments from 1841 to 1845 and from 1849 to 1853.

Power did not improve the Democratic Party. It was soon itself divided, and it was ruined because its predominant influence in its counsels was secured by its less enlightened section. The cruder elements came to the front both in domestic and in foreign affairs, and spread-eagleism was the counterpart of the Democratic "spoils system," the denial of free speech, and the glorification of negro slavery as the "corner-stone of our republican edifice."[2] American historians of weight and learning[3] used to discern in what they called "the malignant slave-power" the explanation of the Mexican wars which directly or indirectly precipitated civil war within the Union and struck down the Democratic party. There were,

[1] Woodburn, *Parties*, pp. 43–4.

[2] Governor McDuffie of South Carolina, quoted by Rhodes, I. 68.

[3] *E.g.* Von Holst, and to a less extent J. F. Rhodes and A. B. Hart; cf. Hart, *Foundations of Amer. For. Policy*, pp. 68, 72–3, and F. J. Turner, *The Frontier*, p. 24.

however, contributory causes in what an American historian calls "the land hunger of the people of the United States—their natural, hearty, and irrepressible desire to make a large country larger." Nevertheless, the Mexican wars were censured by a majority of the United States electorate at the time; and, as Mr Rhodes remarks, "It is amazing that an administration should have been condemned by the voice of the people when the operations in the field had been so successful."[1] The phenomenon was repeated in 1918 and 1920, when the success in the field was more glorious and had been won in a better cause; and it would seem that the American electorate is either less impressed than the British by a government's achievements in the past or more apprehensive of its conduct in the future.

There can, however, be little doubt that the violence of American expansion in the eighteen-forties was increased by a conscious or sub-conscious desire to seek in a spirited foreign policy a cure for domestic disease; and, when in 1831 William Lloyd Garrison began his campaign for the abolition of slavery and his followers went on to advocate secession and to denounce the Constitution as "a covenant with death and an agreement with Hell," Democrats might well see, if not salvation, at least reprieve from perdition in wars which would post-

[1] *Hist. U.S.A.* I. 91.

pone that issue and bring fresh States into the Union on their side. The expedient was familiar enough in the old world. Our own Lancastrian kings sought to divert attention from a weak title to the throne and from religious discord by concentrating national energies on the conquest of France. But, while it was the failure of that enterprise which precipitated the Wars of the Roses, it was the success of the Mexican wars which heightened the discord in the United States. In less than four years (1844–8) its territory was doubled in extent. What was to be done with this vast acquisition? Was it to be free from slavery like the North, or to be added to the "malignant slave-power" of the South? The issue raised to an almost infinite power the influence of the West upon American politics. Which ever way it went, the Union was bound to follow or to be dissolved. It was because the government had now to determine the future of the West that Abraham Lincoln, after acquiescing in the compromise of Clay, came to this conclusion: "I believe this government cannot endure permanently half slave and half free. It will become all of one thing or all of the other."

The crisis had been long on the way, and the Civil War was the penalty paid, with accumulated interest, for a series of compromises shirking or postponing the issue which Lincoln concisely stated. It was a clash between two incompatible civilizations

striving to live together under a common government. At times it took the political forms of Nullification or Secession from the Union, at others, the economic form of Protection *versus* Free Trade. But the clash only came to civil war over slavery because that, with its manifold implications, was the fundamental cause of schism. Some New Englanders had talked of secession at Hartford in 1814–15; Carolina had made more serious preparations in 1832; but Americans were not going to dissolve their Union over tariffs or over questions of foreign policy. The federal bond was weak and ambiguous; there was ample room for the different interpretations of nationality and States-rights so ably expressed by Hayne and Webster, Calhoun and Clay; and the weakness of that bond was originally due in no small measure to the entrenched particularism and imperfect nationalism of the old colonies. But the origin, and certainly the perpetuation, of that weakness and ambiguity in the Constitution were due to the deep gulf fixed between North and South by slavery. In the Virginia Convention debates of 1788 a member had expressed the opinion that "there can never be a southern State admitted into the Union. There are seven States, which are a majority, and whose interest it is to prevent it"[1]; and the fears of the

[1] Morison, *Documents*, p. 350. The influence of the slavery issue on the constitutional debates of 1787 was,

South were an insuperable impediment to the efforts of Federalists like Hamilton to make the Constitution the instrument of a really united and national government. Jealousy on the part of slave States combined with jealousy on the part of democracy to hamper the American nation with a government of jealously enumerated and ambiguously worded powers. To enumerate some powers is to eliminate others; and a government constitutionally debarred from dealing with slavery was doomed to dissolution unless it could heal itself by unconstitutional means.

Now it becomes an Englishman, when he refers to slavery in America, to remember first of all that native serfdom was for centuries part of English law, enshrined in Magna Carta; that negroes could be held as slaves on English soil until Mansfield's momentous decision in Somersett's case in 1772; that the conditions of English social economy and agricultural labourers rendered negro slavery almost superfluous; and that in the British West Indies, where climatic and other conditions resembled those of the southern United States, negro slavery continued till 1834. Bearing those things in mind, he is entitled also to remember that his forbears taxed themselves to the tune of over twenty million pounds to liberate slaves in British colonies and to induce other

however, much exaggerated later on (R. L. Schuyler, *op. cit.* pp. 101–2).

countries to co-operate in the suppression of the slave-trade; that Mansfield had decided that whenever and wherever a slave set foot on English soil he was from that moment free; and that negro slavery was not therefore part of the English law which the independent United States inherited. And he can leave the often repeated statement that negro slavery was imposed by Great Britain on America to be answered by the fact that one of the first uses the colonists made of independence was to perpetuate that "imposition" in spite of the abolition of slavery in Great Britain[1].

[1] A grievance was also made over the refusal of Great Britain in 1783 to restore American property, *i.e.* slaves who escaped to British ships (*i.e.* British territory), and were therefore free by English law. Cf. J. W. Moore, *Congress*, p. 153: "England had also declined to pay for the many slaves her troops had carried off when they sailed from the country." They were acting from the same motives as northern Americans who refused in the eighteen-fifties to surrender fugitive slaves, although they were bound by the Fugitive Slave Law. See also *Camb. Hist. For. Policy*, II. 224; Channing, III. 381–2. The Preliminary Articles of peace bound the British Army not to "carry away slaves or other property" (MacDonald, *Source-Book*, p. 208); but this could hardly mean the forcible rendition of refugees in violation of British law. In 1774 it had been proposed in the House of Commons to emancipate all slaves in Virginia (Burke, *Select Works*, ed. Payne, I. 191)—not, indeed, so much in the interests of the slaves as to exhibit the inconsistency of Virginia's passion for freedom. No notice had been taken in America of Mansfield's interpretation of English law (Channing, III. 546), but Stowell's decision in 1826 was accepted as a pre-

The first compromise on the subject was the deletion from Jefferson's draft of the Declaration of Independence of a clause—sometimes attributed to Tom Paine—denouncing slavery as one of the crimes of George III; and it was struck out, Jefferson tells us, "in compliance to South Carolina and Georgia."[1] Negro slaves were therefore not among the men "created equal," according to that Declaration, and "endowed with certain inalienable rights"; they were not, in fact, men at all, but property, or "chattels" in the old English word which is another form of "cattle." The next compromise was the Northwest ordinance of 1787 which prohibited slavery in that vast territory, but provided for the surrender of slaves who fled thither from the States. The acquisition of Louisiana occasioned a third. The original line between North and South, free and slave States, had been drawn in 1763–7 by two English surveyors, Charles Mason[2] and Jeremiah Dixon, along the southern boundary of Pennsylvania. Thence the Mason and Dixon line was subsequently made to

cedent (*Amer. Hist. Rev.* Oct. 1924, p. 69). A later cause of friction was the more arbitrary liberation by British authorities of slaves on board American vessels which put into the Bahamas and West Indian ports (Dunning, *Great Britain and U.S.A.* 1915, p. 74). That point has a striking resemblance to the case of alcoholic liquor on British ships in American ports under Prohibition.

[1] *Memoirs*, quoted in Moore, *Congress*, p. 63.

[2] See *Dict. Nat Biogr.* s.v. Mason, Charles (1730–1787).

follow the Ohio river, the south-west flow of which into the Mississippi extended the latitude of free territory. The next step was to determine the line between the Mississippi and the Rockies. In 1819 there were threats from the South that if the North persisted in the restriction of slavery, the Union would be dissolved[1]; and in 1820 the famous Missouri Compromise was adopted by which it should be prohibited north of 36° 30″, except in the new State of Missouri.

Jefferson thought that this compromise nullified the benefits of the American Revolution[2], but it stalled off the issue until the wars with Mexico over Texas. Mexico had abolished slavery. American colonists re-introduced it into Texas; and fear lest the same should happen in California and other vast territories led to the proposal of the Wilmot Proviso in 1846 to the effect that slavery should be for ever prohibited in all territory henceforth to be acquired from Mexico. The bill failed to get through Congress, and in 1850 the greatest and most disastrous of Clay's compromises was adopted[3]. The slave-trade, but not slavery, was to be abolished in the federal District of Columbia; no reference to it was to be made in the organization of the new Territories of New Mexico and Utah; an effective law for the

[1] Rhodes, *Hist. U.S.A.* I. 32.
[2] E. P. Powell, *Nullification and Secession*, p. 252.
[3] Documents in MacDonald, *Source-Book*, pp. 383–93.

surrender of fugitive slaves was to be adopted, but California was to be admitted to the Union as a free State. Efforts had hitherto been made to preserve a balance of power within the Union by admitting Free and Slave States in equal numbers, and in 1849 there were fifteen of each. California gave the Free States a majority of one. The Democratic South made desperate efforts to acquire Cuba as an offset and then—since the Compromise of 1850 had superseded that of 1820—to secure a majority by making a new slave State in Kansas. This led to the Kansas civil war of 1854[1], which was a prelude to the greater civil war of 1861.

The struggle was not so much over territory as over control of the Federal government. One branch of the legislature had already been lost irretrievably to the South. The House of Representatives was elected on a basis of population, and in 1850 the Free States had a population of nearly 13½ millions, of whom only 236 were slaves, while the South had little over 9½ millions, of whom over 3 millions were slaves and therefore counted less for election purposes[2]. In 1860 the free majority had risen from

[1] *Ibid.* pp. 397–405. The famous "Lecompton constitution" is given, *ibid.* pp. 420–3.

[2] Farrand, *Development of U.S.A.* p. 198. The slave counted as three-fifths of a white man in reckoning the number of representatives a State could send to Congress; but he could not vote himself, and a white man's vote in a Slave

4 to over 7 millions. In the eyes of the South, wrote Lowell in 1861, the crime of the Free States was the census of 1860. There remained the Senate, the Judiciary, and the Presidency. The Senate was based on the equality of the States, and each returned two Senators whatever its population might be. There, too, in 1850 the Free States had a majority of one, which was increased to three by the admission of Minnesota in 1858 and of Oregon in 1859. It was now the turn of the Judiciary and the Presidency; but in the long run the former was the creation, if not the creature, of the latter; and a Democratically-appointed Supreme Court dealt in 1857 a resounding blow in favour of slavery in the famous Dred Scott decision of that year[1]. The significance of that judgment was that not only were slaves chattels without any legal rights, but that Congress itself had no right nor power under the Constitution to improve their

State counted, therefore, for more than a white man's vote in a Free State. A Southern owner of 50 slaves counted for as much as 30 free citizens in the North; and the association of the Democratic party with the cause of slavery involved a complete recantation of democratic principle. This three-fifths ratio, which has commonly been regarded as one of the great compromises of 1787, had been proposed in 1783 and ratified by eleven States before the Convention met (Schuyler, p. 102).

[1] The most recent discussion of this case is contained in the full account given in vol. II of Charles Warren's *The Supreme Court in United States History*. 3 vols. Boston, 1924. Cf. *Amer. Hist. Rev.* Oct. 1924, pp. 56–71.

condition or prohibit the extension of slavery in the public domain. But, while judges of the Supreme Court held office for life, Jackson had appointed five out of the seven before he completed his second term of office, and a Republican President might retort in like fashion. The election of Lincoln in 1860 destroyed the last hold which slavery had over the government of the United States; and the South was left to choose between secession and the prospect of submission to the ultimate wishes of an anti-slavery majority.

The struggle for slavery destroyed Jacksonian Democracy before it was defeated in civil war; and the destruction was due to the dominance of the South in the councils of the party. The Whig party had fallen a victim to compromise in the effort to maintain unity between its southern and northern supporters; but there was even less possibility of harmony between slavery and anything pretending to modern democratic principle. The slave-owners were almost as contemptuous of the "mean whites" or "white trash"—as it was called in the South—as they were of their slaves; and they were more infuriated by Hinton Rowan Helper's *Impending Crisis*[1], a plea for the education and elevation of this

[1] Rhodes, *Hist. U.S.A.* II. 519; Channing, *Hist. U.S.A.* pp. 252–3. It had reached its 60th thousand by 1860 (copy in All Souls College Library).

degraded class, than they were by Mrs Stowe's *Uncle Tom's Cabin*. Politics in the North were probably more corrupt than in the South; the managers of the Democratic party were often northerners themselves; and Marcy, who gave currency to the phrase "to the victors the spoils" was Senator from New York[1]. It may have been merely the accident of Democratic predominance during an era of growing corruption that connected that party with the system. But Democrats surely developed it by making federal office, from the highest rank to the village postmaster, a reward for party activity; and they travestied the right of popular self-determination into "squatter sovereignty" which would enable a handful of settlers to determine for ever whether a State should be slave or free. They passed the "gag-rule" in Congress suppressing all petitions relating to slavery, and attempted to prevent the circulation of such literature through the post. John Quincy Adams' prolonged championship of the right of petition and struggle to secure the repeal of the so-called "gag-law" is described by Prof. Channing as "in some respects the most noteworthy part of his career."[2] In

[1] Rhodes, II. 246, 400. "They see nothing wrong in the rule that to the victors belong the spoils of the enemy" (speech of W. L. Marcy in the Senate, Jan. 1832), cf. *Ency. Brit.* 11th ed. XVII. 696–7.

[2] In *Ency. Brit.* 11th ed. s.v. Adams, John Quincy.

Kansas the Democrats prohibited free speech and instituted a sort of penal code for liberty[1].

In foreign affairs slavery poisoned the relations between the United States and other Powers. The desire to add more slave States to the Union was at least one stimulant to the Mexican wars. "The treaty for the annexation of Texas to this Union," wrote Adams, "was this day sent to the Senate, and with it went the freedom of the human race."[2] Elsewhere than in Texas, American filibusters re-established a slavery which had been abolished by Latin America, and the anxiety of the South to annex Cuba was due to the fear that otherwise slavery might be abolished there[3]. The importation of slaves into the United States had been forbidden in 1808, but in the eighteen-fifties the South was pressing for the repeal of the prohibition; and the American flag became the cover for slave-traders all the world over and the principal obstacle to the suppression of the nefarious traffic. "The African slave-trader," exclaimed a Democrat, "is the true Union man"[4]; and it was the "manifest destiny" of all European possessions in

[1] Rhodes, II. 99.

[2] *Ibid.* I. 87–8; cf. MacDonald, *Source-Book*, pp. 368–72.

[3] Rhodes, II. 242; *Camb. Hist. For. Policy*, II. 269.

[4] Rhodes, II. 371, 480, III. 353. It should, however, be noted that the importation of negroes from foreign countries was prohibited by the new constitution of the Confederate States in 1861 (MacDonald, *Source-Book*, p. 428).

America to come under a power, where it was asserted that "a blow at slavery was a blow at commerce and civilization," and where a new Confederacy was formed, "the first," it was said by one of its founders, "in the history of the world based upon this great physical, philosophical, and moral truth" that "slavery...is the negro's natural and normal condition....This stone which was rejected by the first builders, is become...the corner-stone in our new edifice." Except for States-rights, Democrats had abandoned most of the principles in domestic and foreign policy for which Jefferson had stood; and the "national curse entailed by England" had become, in Calhoun's words, "a philosophic, a humane, and a divine institution."[1]

This colossal recantation alienated the West from a Democratic party dominated by the South; and the great battle of wits between Lincoln and Douglas for leadership in Illinois was as significant as the cruder contest of the Kansas war[2]. The Civil War is commonly regarded as one between North and South,

[1] Rhodes, I. 370, III. 280, 324–5; Moore, *Congress*, p. 344. Cf. the Rev. F. A. Ross, *Slavery Ordained of God* (Philadelphia, 1857).

[2] The significance of John Brown and his raid on Harper's Ferry in Oct. 1859 is illustrated by Emerson's, J. S. Mill's, and Thoreau's encomiums and still more by Victor Hugo's remark, "pour nous John Brown est plus grand que Washington." Lincoln and Seward condemned the raid (J. F. Rhodes, II. 384, 410–16).

but it was one in which the West intervened and decided the issue. "Come out west," wrote Sherman to Grant in 1863 while the outcome still hung in the balance, "take to yourself the whole Mississippi valley. Let us make it sure, and I tell you the Atlantic slope and the Pacific shores will follow its destiny as sure as the limbs of a tree live or die with the main trunk.... Here lies the seat of the coming empire."[1] But before Grant went west, the man of the west had already gone east to White House to solve with consummate statesmanship as intricate and, indeed, as distressing a problem as ever man had to handle.

Lincoln had been elected by a vote nearly a million less than the combined total of his antagonists, and he had no mandate to abolish slavery. "I have no purpose," he quoted in his first Inaugural[2] from one of his own campaign speeches, "directly or indirectly to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so."

[1] *Ibid.* IV. 435.

[2] This Inaugural, says Henry Adams, was "the final term of the winter's tactics," which turned on "the effort of the cotton States to drag Virginia out, and the effort of the new President to keep Virginia in" the Union. Upon the action of Virginia, Lincoln thought, depended whether he would have a government to administer or not (*Education of Henry Adams*, pp. 105–6). Sumner regarded these tactics as treason (*ibid.* pp. 107–8).

His attitude dismayed his friends in America and bewildered his friends in England. "My paramount object in this struggle," he replied to Horace Greeley, "is to save the Union, and is not either to save or to destroy slavery."[1] For if the Union could be maintained, slavery was bound sooner or later to disappear; whereas, if secession succeeded, slavery might have gone on in the South for ever[2]. If Lincoln won on the constitutional issue, he won all along the line; and he concentrated on the first object because he knew that the rest would follow. It was because he wanted to eradicate slavery from the whole of the Union that he was determined to keep it intact. It could not continue half-slave, half-free; and the only way to make every State free was to keep them United States.

Here he spoke less for the North, where men had sometimes dallied with ideas of secession and to which Lincoln had never belonged, than for that America which lay beyond the Alleghanies and stood for national unity because it was the offspring of the Union. Older States might quarrel over what they had done in making the Constitution. The West had no share in its ambiguities. It did not live in that

[1] F. J. Rhodes, *Hist. U.S.A.* IV. 74.

[2] Economically it is said to have been dying in 1861; but economically it was dying half a century earlier before the invention of Whitney's cotton-gin gave it a fresh lease of life, and other inventions might have prolonged it further.

compromising past but in the present; and it looked to a future nation, in which there should be neither North nor South, and of which the prophet was that pioneer, who had been elected President and was "new birth of our new soil, the first American."[1] It was a symbolical coincidence that the first shot in the Civil War was fired by a Southern gun on a Northern steamer which bore the name of *The Star of the West*[2].

[1] J. R. Lowell's *Commemoration Ode.* For a less poetical pen-picture of Lincoln, see *Meade's Headquarters*, ed. G. R. Agassiz, 1922, p. 325.

[2] Rhodes, III. 245.

CHAPTER V

Imperialism

JAMES RUSSELL LOWELL'S characterization of Abraham Lincoln as the "first American" challenges comparison with the description of George Washington as "first in war, first in peace, and first in the hearts of his fellow-countrymen."[1] It also illustrates one ambiguity in the word American. There are others. A citizen of the United States has no hesitation in describing himself as an American, but he doubts how far he can attribute the same nationality to citizens of the many other States which occupy the greater part of the American continents. The tendency is to limit those other Americans to the particular countries to which they belong, to call a citizen of Canada a Canadian, of Mexico a Mexican, of Peru a Peruvian, and so forth, but to call a citizen of the United States an American after the continent which is common to them all.

[1] The phrase occurs in the resolutions, drafted by General Henry Lee, moved by Marshall, and passed by the House of Representatives on the receipt of the news of Washington's death (Moore, *Hist. of Congress*, pp. 168–9). It can now be added that he was "perhaps the wealthiest man in the United States" (R. L. Schuyler, *op. cit.* p. 73).

The ambiguity is symbolical of American history. From the earliest days of independence, the new confederacy was in doubt whether it would remain a new world or become a new state, remain an asylum for mankind or become a sovereign among powers, remain a league of peoples or become an empire over American nations. But if it is difficult to find an exact and an agreed definition of an American, empire is equally elusive. What precisely was meant by calling New York the "empire" State of the Union, and Georgia the "empire" State of the South?[1] There was *imperium* in republican Rome, but it did not necessarily mean either military or despotic authority. It is true that the Caesars stamped that meaning on the word, but military rule was no attribute of the holier Roman Empire of the Middle Ages, nor of that empire which Tudor statesmen claimed for England and then for Britain. Even less was it what George Washington meant when he referred in his will to the United States as a "rising empire,"[2] or what Alexander Hamilton affirmed when he said that "the fabric of American empire ought to rest on the solid basis of the consent of the people."[3] Burke, as he strove for conciliation with America, had built a bridge between the old

1 Rhodes, *Hist. U.S.A.* I. 164; III. 207.
2 *Works*, XIV. 277.
3 Beard, *The Supreme Court and the Constitution*, p. 98.

conception and the new when he said: "My idea of it is this, that an empire is the aggregate of many states under one common head, whether that head be a monarch or a presiding republic," and when he adjured the House of Commons, "Deny them this participation of freedom, and you break that sole bond which originally made, and must still preserve, the unity of the empire."[1]

Washington, in his farewell address[2], had exhorted his hearers to unity. "Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of *American* which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations." But he was here reflecting upon the particularity of a patriotism which put the commonwealth of Virginia or Massachusetts before the commonwealth of the United States, and not of an imperialism which might seek to put the United States above the rest of America. Nor were these the only alternatives between which Americans had to choose. There were at least four loyalties which engaged in varying

[1] *Select Works*, ed. Payne, I. 193, 232.

[2] *Works*, XIII. 191–207, where different drafts are given. The conventional version is given in Moore, *Hist. of Congress*, p. 555. Noah Webster had written in 1785, "we ought not to consider ourselves as inhabitants of a particular state only, but as Americans" (R. L. Schuyler, *op. cit.* p. 58).

degrees their diverse affections. Some, like Tom Paine, were citizens of the world, others wished to be citizens of the New World only. Washington's affection was for citizenship of the United States, while probably a majority felt as yet little affection for any other commonwealth than their own Virginia or Massachusetts.

The visionaries of the Revolution took the widest and the vaguest view of citizenship. The whole world was their parish provided it would listen to their preaching: and they thought that the New World would be at least a world of new republics. Attachment to the word American meant clinging to the hope that other colonies would follow their example and to the belief that manifest destiny portended the disappearance of old-world domination in the American continents. It was this New World rather than the United States which fired their imagination, and many of them combined a stiff allegiance to their particular commonwealth with this wider vision of a larger life[1]. The United States was a practical compromise. The nation might be better than the province; but it fell far short of the ideal world, and some at least were fortified in their loyalty to the smallest unit by fear lest its submergence in affection for the nation should impair their citizenship of the world at large.

[1] S. E. Morison, *Documents*, pp. 328–31.

"Shall we," cried Patrick Henry, "imitate the example of those nations who have gone from a simple to a splendid government? Are those nations more worthy of our imitation? What can make adequate satisfaction to them for the loss they suffered in attaining such a government—for the loss of their liberty?... When the American spirit was in its youth, the language of America was different; liberty, Sir, was then the primary object.... But now, Sir, the American spirit, assisted by the ropes and chains of consolidation, is about to convert this country into a powerful and mighty empire.... Would this, Sir, constitute happiness or secure liberty?... I would rather infinitely... have a King, Lords, and Commons than a government so replete with such insupportable evils."[1]

To preserve the rights of the several States was thought the best way to check a tendency towards empire; and the Republican-Democrats were formed as a party to resist the efforts of Hamilton and the Federalists to strengthen national government. Jefferson, in particular, was opposed to the acquisition of any territory that would require a navy to defend it[2]; and his attitude, besides entailing considerable difficulties upon his country during the war of 1812–4, laid him open to the humorous American suggestion that "there is a special Providence for little children and the United States."[3] In view of that special Providence there was no need for a standing

[1] This jealous dignity of the States is illustrated by the 11th Amendment (see above, pp. 118, 120).

[2] A. B. Hart, *American Foreign Policy*, p. 118.

[3] *Ibid.* p. 1.

army, for a navy except for coast defence, nor for elaborate diplomacy; and less than a year ago President Coolidge, in his first message to Congress, found it necessary to dwell upon the necessity for a better diplomatic service. Jefferson had been minister in France during the earlier stages of the French Revolution before it revealed its drift towards a centralizing bureaucratic empire; and there was a singular irony in his party being regarded as French because it opposed a party called English which was supposed to reflect an English bent towards centralization. But it was left for a later democracy than Jefferson's to lead the United States, by slower stages but a considerable distance, along the Napoleonic path towards sovereignty and empire.

Jefferson may seem to have entered upon that path when he purchased Louisiana. But here we have again to enquire what is meant by empire and imperialism. In American parlance, borrowed perhaps from English, the terms appear to be limited to overseas expansion and to exclude the acquisition of contiguous territory. The definition is obviously unsatisfactory; and to charge Denmark, for instance, with imperialism because she acquired the Virgin Islands, while exculpating Russia on the ground that Siberia is contiguous territory, would be somewhat inconsistent. Nor does it draw the more important distinction between such different motives for coloni-

zation as settlement and exploitation. It is a somewhat arbitrary virtue which would confine islanders to their island, however small, yet leave others to cover a continent, however vast. *Coelum non animam mutant qui trans mare currunt*, and land-stealing does not cease to be such because the land is near at hand instead of across the sea.

There is, nevertheless, some substance in the distinction which has been sharply drawn in American history between continental and transmarine expansion. "The President," wrote Buchanan to President Pierce in 1853, "who shall accomplish this object [the acquisition of Cuba] will render his name illustrious, and place it on the same level with that of his great predecessor who gave Louisiana to the Union."[1] But that predecessor, Jefferson, had deprecated overseas expansion. It was hardly a part of "manifest destiny"; and other considerations than blue water made it sound policy for the United States ultimately to reject Buchanan's advice, and to make an emphatic difference between its relations with Cuba and its relations with the dozen States of the Union which have been formed out of the Louisiana purchase. The difference between the Democracy of Jefferson and that of Polk and Pierce and Buchanan is, broadly speaking, the justification of the earlier policy of the United States and of the distinction

[1] Rhodes, I. 387, etc.

between the different kinds of expansion. The motive of the Louisiana purchase was primarily one of self-defence; it is pretty certain that Jefferson at least would not have effected it, had Louisiana remained in the hands of Spain. But the forcible transfer of Louisiana from Spain to Napoleon, under the impulse of Talleyrand's desire to re-create a French empire in America, precipitated Jefferson's action. He was no lover of England, but so grave did he consider the prospect that he contemplated a close alliance between the United States and the British fleet and nation[1].

It was the same undercurrent of feeling that had in 1783 endowed the United States with its original empire. In the peace negotiations of that year Spain at least had hoped to recover something of what it had lost in the Seven Years' War; and it was the co-operation of the British and American governments which had defeated that scheme and secured for the United States its Northwest territory. Empire was, therefore, an inheritance of the United States from the first; and, says an American historian, "notwithstanding that the Revolution was a protest against a colonial régime, the model for the American territorial system, which has, so far, been little altered, was the previous colonial administration

[1] See below, p. 268.

of Great Britain."[1] The District of Columbia itself "is taxed by act of Congress without the slightest representation even by a delegate in Congress; and it has no control over its own local affairs." "From the beginning therefore," in the United States as in the British Empire, "a special arbitrary régime has been applied to some colonies which were too sparsely populated or too disturbed to sustain any representative government of their own."[2] The circumstance that these dependent colonists were few and the anticipation that their dependence would be temporary constitute a difference in degree rather than in principle; and the "glittering and sounding generalities," as Rufus Choate termed them[3], of the Declaration of Independence broke down as soon as the independent colonies acquired colonies of their own. As Mr Root pointed out in his speeches on American policy in the Philippines, the maxim that "government derives its just powers from the consent of the governed" was limited in its application even by its author. Jefferson did not apply it to Louisiana; and J. Q. Adams could only muster three votes in his support when, on 10 Jan. 1804, he moved in the Senate that there was no constitutional power to tax the people of Louisiana without their own consent[4].

[1] A. B. Hart, *Amer. For. Policy*, p. 139.
[2] *Ibid.* pp. 142–3. [3] Becker, *Decl. of Independence*, p. 244.
[4] Henry Adams, *Hist. U.S.A.* ii. 122.

But if that form of imperialism, which limits the self-determination of peoples with a limited political capacity, began to intrude at once upon revolutionary ideas of the equality of man and citizenship of the world, there was nevertheless a distinction between even Jefferson's later conceptions and the imperialistic Democracy of Presidents Polk and Buchanan. It was with many qualms over the constitutional legality and political principle of the proceeding that Jefferson consented to the Louisiana Purchase; and his Attorney-General, Levi Lincoln, wanted the treaty to speak not of adding new territory to the United States, but of extending existing territory by an alteration of its boundary[1]. Jefferson's motive was assuredly not expansion for the sake of expansion, but security for the existing States and Territory of the Union and protection for American principles of government. If, in a later age it was necessary to make the world safe for Democracy, it was still more necessary in Jefferson's time to free the United States from the menace of a Napoleonic empire in North America. The Monroe Doctrine was really an extension of the same principle to South America, reinforced by the plea that, unlike Louisiana, the South American colonies were demanding and would secure self-determination by means of Monroe's policy. The best that America could do

[1] *Ibid.* ii. 78.

for liberty, thought Jefferson in 1823, was to defend it at home[1].

Monroe's doctrine prohibited the extension, and contemplated the exclusion, of old-world principles of government from the new. He did not foresee that the old world, or parts of it, might change its principles, nor did he prescribe the future attitude of the United States in such an event. His vision was of a new world of sister republics bound together at least in a common policy of resistance to old-world domination or aggression. But Democracy in the next generation converted this policy of common defence into a policy of conquest by the United States at the expense of Latin America, and the principles of republican community gave way to more elemental factors in the human breast. America might have turned its back on Europe, and shut its eyes to the past; but a policy is not new because it is followed in a new world, nor progress because it points to the setting sun. "It was President Polk's purpose," says Dr A. B. Hart, perhaps too categorically, "from the beginning of his administration, to provoke a war with Mexico, in order to have a pretext for seizing California. The consequence was that in 1845 and 1846, just before and during the

[1] S. E. Morison in *Rev. des Sciences Politiques*, XLVII. 79; cf. Jefferson, *Works*, X. 257–9.

war, eight different military expeditions were sent to Mexican territory."[1]

The shock to sensitive minds was as great as when, two centuries earlier, two Protestant republics of the old world, the new Commonwealth of England and the United Netherlands, signalized their achievement of republican liberty and the close of the Wars of Religion by starting wars between themselves over colonies, the carrying trade, and the navigation laws. They had not even the excuse of religious animosity, nor the American plea that the vast Mexican territory between the Gulf of Mexico, the Rocky Mountains, and the Pacific was sparsely populated, barely civilized, and badly governed. That it should permanently remain in such a condition and under such a government in the face of the rapid extension of a whiter civilization was inconceivable. Roosevelt's plea that the sole alternative to American expansion was to keep a "vast continent as a game preserve for squalid savages" applies to Red Indians; but there were other and very mixed considerations which led to the demand for Cuba as well as for Mexican territory and for Pacific provinces at the expense of British as well as of Latin America.

It has recently[2] been justified as a natural policy

[1] *American Foreign Policy*, p. 71.

[2] H. J. Eckenrode, *Jefferson Davis* (Allen and Unwin), 1924. Cf. *The Times Literary Supplement*, 13 March, 1924:

for the southern planters, with their traditions of race dominance, to seek expansion of their rule over inferior civilizations, a policy which might, with better fortune, have extended a Nordic empire over Central and even South America. Expansion was, however, a Western as much as a Southern policy. There were more protests against it in the South than in the West. The southern planter had no racial prejudice against Spaniards; he vented his dominant instincts rather upon the "mean whites" within his borders than upon the Spanish planters outside. But Cuba, once acquired, would soon have become a State within the Union and a buttress to the cause of slavery. Slavery was the test of civilization: if people kept slaves they were good enough to be citizens of a slave-owning world; and, while Palmerston was scheming for the emancipation of slaves in Cuba in order to frustrate its incorporation in the Union, the South was scheming for its annexation in order to prevent the abolition of slavery. Emancipation in Cuba, said Webster in 1843, would "strike a death-blow to the existence of slavery in the United States."[1] The motive of the Mexican wars was not racial, but social and economic;

"Perhaps the most striking thing about Mr Eckenrode's attitude is his frank imperialism. . . . President Polk, who made of the Monroe Doctrine a doctrine of conquest, is his ideal 'Nordic.'"

[1] Rhodes, I. 76, 93–5, 393–4; *Cambridge History of Foreign Policy*, II. 269; A. B. Hart, *op. cit.* p. 123.

and the first thing the conquerors did was to ignore the Mexican laws against slavery. Southern imperialism meant an extension of slavery; and the extension of slavery provoked the Civil War in which the South fought against its "Nordic" kin with greater zeal and zest than it had against Latin Americans. "We cherish slavery," wrote the *Charleston Courier*[1], "as the apple of our eye, and are resolved to maintain it, peaceably if we can, forcibly if we must."

After the conquest of all Mexican territory north of its present frontier[2], Cuba became the main objective of southern imperialism, partly because slavery had not commended itself to the new West so well as the South had hoped. Many a filibustering expedition set forth from the States to liberate Cuban colonists from Spanish rule and to protect their slaves from emancipation; and President Pierce announced in his Inaugural in 1853 that "the policy of my administration will not be controlled by any timid forebodings of evil from expansion."[3] His ministers breathed a similar spirit, and Soulé, whom he sent to represent the United States at Madrid, had likened the Mexican filibuster, Lopez, to Lafayette and

[1] 16 Feb. 1854, quoted in Rhodes, I. 469.

[2] This was settled by the Treaty of 1848 (MacDonald, *Source-Book*, pp. 377–82), except for the rectification made by the Gadsden purchase of 1853 (*ibid.* pp. 394–7).

[3] Rhodes, I. 385–93; E. P. Powell, *Nullification and Secession*, p. 379.

Kosciusko. "Perhaps this," writes Prof. E. D. Adams, "was our most grandiloquent period."[1] A new filibustering attack on Cuba was now made by a former governor of Mississippi and a friend of Jefferson Davis; and Soulé reinforced it by a diplomatic offensive which demanded the sale of Cuba to the United States under a threat of war.

"It belonged naturally," wrote he and his diplomatic colleagues in Europe who met at Ostend to concert that famous manifesto[2], "to that great family of States of which the American Union was the providential nursery, for it commanded the mouth of the Mississippi and its trade." "But we must," they went on, "in any event preserve our own conscious rectitude and self-respect, so as to be able to afford to disregard the censures of the world to which we have been so often and so unjustly exposed. The question is whether Cuba in the possession of Spain seriously endangers our internal peace and the existence of our cherished Union. Should this question be answered in the affirmative, then by every law, human and divine, we shall be justified in wresting it from Spain if we possess the power."

The Monroe Doctrine—"with the existing colonies of European Powers we shall not interfere"—was completely ignored in the Ostend Manifesto; and a critical American newspaper aptly summed up the argument thus: "if Spain will not sell us Cuba,

[1] *The Power of Ideals in American History*, p. 89.

[2] Rhodes, II. 38–40; S. Webster, "Mr Marcy, the Cuban Question, and the Ostend Manifesto" in *Pol. Sci. Quarterly*, vol. VIII. (1893).

we must steal it in order to preserve our national existence." "The finger of God," declared the prophets of expansion, "never points in a direction contrary to the extension of the glory of the Republic."[1]

Cuba was the immediate objective, but it was also, in the words of an American historian, "soberly proposed to annex the whole of Mexico,"[2] and there were dreams of a further extension over Central America. A third filibuster re-established slavery in Nicaragua; and when Colombia wished to tax American goods in transit across its territory, the United States sent a naval force to protest[3]. Between 1836 and 1861 there occurred twenty-five cases of armed intervention by the United States with other countries, and it was rapidly becoming the policeman of Latin America. Its activity extended far beyond American shores. Some of these armed interventions occurred in Chinese waters, some in the Mediterranean. New York Democrats, who welcomed Kossuth with frenzied enthusiasm, declared that the time for American neutrality in the Hungarian war of independence had ceased, and promised 100,000 men; and, just as Joseph Chamberlain once remarked that Queensland was larger than Germany,

[1] E. D. Adams, *op. cit.* p. 84.
[2] A. B. Hart, *Foreign Policy*, pp. 74–79.
[3] Rhodes, I. 242.

so Webster wrote that the Habsburg dominions were but a patch on the earth's surface compared with the United States[1].

"But," asked Benton, one of the most eminent Democrats of his time, "why not march up to 54° 40″ as courageously as we march upon the Rio Grande?" "Because," he replied to his own question, "Great Britain is strong and Mexico weak."[2] To march up to 54° 40″ meant extending American control of the Pacific Coast up to the Russian frontier of Alaska, completely cutting off Canada from access to the Pacific Ocean, and annexing the whole of what is now British Columbia. "Fifty-four forty or fight" had been the Democratic slogan in the presidential campaign of 1844, and it was possibly the crudest as well as the crispest expression of international relations to which democracy ever gave utterance. But Benton's answer to his own question was only a partial explanation of the comparative discretion which President Polk, after his election, displayed over the Oregon dispute. The South was the dominant factor in the Democratic party, and there were no slave States to be carved out of Oregon. Southerners

[1] Rhodes, I. 205–6, 231, 236.

[2] *Ibid.* I. 87–8. Cf. T. H. Benton's *Thirty Years' View*, 2 vols. 1854–6. Benton was 30 years a Senator and for long the leader of the Jacksonian Democrats. Roosevelt contributed a life of him to the "American Statesmen" series in 1887, but a better one is by W. M. Meigs, 1904.

like McDuffie of South Carolina, who had pressed for the annexation of Texas, declared that they "would not give a pinch of snuff for the whole territory."[1] The remoteness of Oregon was, no doubt, McDuffie's chief objection; but the more the United States annexed in the North, the surer would be the ultimate doom of slavery and of Southern power. Interest and inclination alike counselled the South to cross swords rather with Spain and Mexico than with the British Empire; and with the settlement in 1846[2] of the Oregon dispute by the obvious method of extending to the Pacific the frontier of the 49″ parallel, which had long been accepted as far as the Rockies, the interest of the West in expansion and its allegiance to the Democratic party began to wane.

But if the South was lukewarm for northern expansion, the North was no less averse from southern imperialism with its implied extension of slavery; and, distressing as was the antagonism of North and South which led to the Kansas war, it put some check upon the more violent expressions of patriotic democracy. The Republican Convention of 1856 denounced the Ostend manifesto, and even Demo-

[1] E. D. Adams, *The Power of Ideals in American History*, p. 83.

[2] Treaty of 15 June, 1846, in MacDonald, *Source-Book*, pp. 372–4.

crats in the North looked more and more askance at the expansionist policy. It was domestic distraction which restrained the designs on Cuba; smoothed the way for the Bulwer-Clayton treaty (1850) over the projected Nicaraguan canal[1]; and rendered possible an accommodation between British and American views of Honduras, the Bay Islands, and the Mosquito Coast[2]. Not that the North was without its own imperialism. Everett, who expounded the doctrine of Manifest Destiny[3], was a native of Massachusetts, had been its governor, President of Harvard University, and U.S. Minister to England, before he succeeded Webster as Secretary of State in a Whig, not a Democratic, administration; and the North had hopes of Canada no less than the South of Cuba. Both parties, in fact, whenever they were in power, were oppressed by the growing civil dissension, and looked, sometimes perhaps in hope and sometimes in despair, to a spirited conduct of foreign affairs to divert attention from the slavery issue and close, at least for their time, the gaping fissure in the Union. "The faculty of turning away one's eyes as one ap-

[1] Rhodes, II. 172, 199–201.

[2] *Cambridge History of Foreign Policy*, II. 265–73.

[3] Rhodes, I. 294–300; *The Education of Henry Adams*, p. 24. The doctrine was, however, denounced by another Whig, Thomas Corwin, who also distinguished himself by his speech in the Senate on 11 Feb. 1847 against the Mexican War.

proaches a chasm is not unusual, and Boston showed, under Mr Webster, how successfully it could be done in politics."[1] The threat to "our internal peace" and to "the existence of our cherished Union," which the Ostend Manifesto ascribed to Spanish possession of Cuba, lay nearer home.

This is the most plausible explanation of the otherwise unaccountable aggressiveness displayed by Seward, whom Lincoln chose for his Secretary of State, in 1861. "I would demand," he wrote as the Southern States were seceding one by one and arming for the conflict, "explanations from Spain and France categorically at once. I would seek explanations from Great Britain and Russia....And if satisfactory explanations are not received from Spain and France, I would convene Congress and declare war against them."[2] This was the policy of the Girondins in 1792, while, oddly enough, Mr Rhodes tells us that in the South "the music of the nascent revolution was the Marseillaise." With regard to the South, Seward wrote "wait and see."[3] He thought that war on the world would quench that domestic conflagration as, indeed, a later world-war quenched for a time an incipient Irish conflict in 1914. But Great Britain

[1] Henry Adams, *op. cit.* p. 34.

[2] Rhodes, III. 342. Cf. E. L. Godkin's remark (Pollak, p. 159): "Mr Seward's despatches were often, in American as well as in European eyes, full of vapor."

[3] Rhodes, III. 121, 337.

and Russia were given preferential treatment; it was only on France and Spain that war was to be waged, partly, no doubt, for prudential reasons, but partly because France and Spain were suspected of warmer sympathies for the South than were the Northern Powers of Europe. A national war on the friends of the South would be as fatal to Jefferson Davis as the Revolutionary War of 1792 was to the Bourbons.

But Seward's preferential treatment of Great Britain did not long survive the outbreak of the Civil War; and Great Britain and the North were soon involved in disputes similar to those which had led to the war of 1812, only the parts were reversed. An American, not a British, navy now sought to maintain a blockade, and British, not American, ships now strove to evade it; Great Britain denied, while the North asserted, the right of search. But the fundamental difficulty, in foreign relations as well as in domestic affairs, lay in the interpretation of the American Constitution. Was or was not secession a right appertaining to the States? Was or was not the South entitled to recognition, if not as a nation, at least as a belligerent Power? If thirteen American colonies with a population of three millions could declare themselves independent in 1776, could not eleven States with treble that population do the same in 1861? Had not those colonies owed their independence in no slight degree to their recognition by

France and Spain? "The two sides," says Prof. Max Farrand, "were after all not so unequal in 1861."[1] Then, why were they not entitled to equal rights? It was a question for the States, individually or collectively, to determine. For a foreign government to presume to decide seemed an unwarrantable intrusion into the domestic affairs of the United States. Yet the demand of the North that Great Britain should refuse any recognition of the South was in effect a demand that it should deny that right of secession which American Federalists and Whigs, Democrats and Abolitionists, had at different times asserted, and should itself decide the most fiercely disputed question in American constitutional history. It was not for England to determine whether the American Constitution was or was not, in William Lloyd Garrison's words, "a covenant with death and an agreement with Hell," or to deny that right of secession which Wendell Phillips, Edmund Quincy, and Theodore Parker had claimed for themselves.

The North contended, on the other hand, that recognition, even of the belligerency of some of the States, amounted to a decision against the United States; "but the Federal leaders themselves were soon forced to take the same position, for they could not treat all Southerners as insurgents or traitors."[2] For

[1] *Development of the United States*, p. 200.
[2] *Ibid.* p. 201.

the recognition of insurgents as an independent government *flagrante bello* there was, said the future Lord Selborne[1], no precedent but that of the French recognition of the American colonies in 1778; and, if Lincoln was debarred by consistency from using that precedent, Great Britain was equally precluded; for in 1778 she had treated that French recognition as a *casus belli*. The common sense view prevailed on both sides. Belligerency had to be recognized, but the independence of the South was not. On the other hand, Russell gave unnecessary offence by a singularly inept comparison of the cause of the South with the cause of Italian independence—or unity—and Gladstone by a rash declaration that Jefferson Davis had made a nation, though Gladstone had always thought the maintenance of the Union desirable for British interests in Canada, because the South restrained expansive inclinations in the North[2].

[1] Rhodes, IV. 349.

[2] "I was not one of those," wrote Gladstone in later years, "who, on the ground of British interests, desired a division of the American Union. My view was distinctly opposite. I thought that while the Union continued it could never exercise any dangerous pressure upon Canada to estrange it from the empire.... But, were the Union split, the North no longer checked by the jealousies of slave power, would seek a partial compensation for its loss in annexing, or trying to annex, British North America. Lord Palmerston desired the severance as a diminution of a dangerous power, but prudently held his tongue" (Morley, *Life of Gladstone*, I. 715–16; cf. C. F. Adams, *Trans-Atlantic Historical Solidarity*, pp. 115–9).

Imperialism came out in other ways inevitable in war. Lincoln checked Seward's aggressiveness in foreign policy, and recognized in the *Trent* affair that America could not afford to press its claim to the right of search. But in his administration the extensive powers which the Constitution allowed a President in war were stretched even beyond that limit; and his creation of paper money was subsequently declared unconstitutional by the Supreme Court. "Our President," wrote Sumner in 1861, "is now dictator, imperator—which you will"[1]; and his rival for the Presidency in 1864 called him "the Caesar of the American Republic." Thousands of arrests, says Mr Rhodes, were made in the United States under the suspension of *habeas corpus* during the Civil War to tens made in England during the Napoleonic wars; and *habeas corpus* was suspended in England by Act of Parliament, but in the United States by the President's proclamation[2]. His orders for arrest, continues Mr Rhodes, were as arbitrary as the *lettres-de-cachet* of Louis XIV, and men talked of the American Bastille. In Europe they compared the despotism in the States with that in France, and the *coup d'état* of Napoleon III with that of Abraham Lincoln[3]. "Here," boasted the South, "all the land-

1 Rhodes, IV. 230–2.

2 Lincoln's proclamations were subsequently condoned by Act of Congress (MacDonald, *Source-Book*, pp. 463–6).

3 Rhodes, III. 512–4, 553–8, IV. 170 *n.*, 235, 417.

marks of English liberty have been preserved. At the North scarcely a vestige of them is left."[1] "The land of the free," wrote the *Saturday Review*, "is a land in which electors may not vote for fear of arrest, and judges may not execute the law for fear of dismissal, in which unsubmissive advocates are threatened with imprisonment and hostile newspapers are suppressed."[2] The circulation of the New York *World* was prohibited, while the Chicago *Times* was silenced, and Judge Curtis accused Lincoln of military despotism—all of which means that the United States was passing through a crisis like England in her Civil War, and had recourse to similar methods. Abraham Lincoln, says Lord Bryce, wielded more authority than any single Englishman has done since Oliver Cromwell[3].

Of more importance than this straining of the law and the constitution, with which war has familiarized every age and every nation, was the abolition of slavery in the Territories by legislative act of Congress in 1862[4]. The Supreme Court in the Dred Scott case had denied the competence of Congress

1 Rhodes, v. 474.

2 23 Nov. 1861.

3 Rhodes, iv. 165, 170, 234, 253.

4 Text in MacDonald, *Source-Book*, pp. 450–2. It is an interesting coincidence that in Russia, "the one great power of Europe which has openly and persistently been our friend" (Rhodes, iv. 418), serfdom was abolished on 19 Feb. 1861.

under the Constitution to exclude slavery, any more than any other form of property, from the Territories; and that decision had not as yet been overridden by any amendment of the Constitution. Technically, the abolition was a violation of the Constitution; but thus, writes an American historian[1],

> Congress did more than assert a splendid principle of human rights: it settled once for all the question of national supremacy; it asserted the right of Congress to legislate for the American colonies, both those then existing and such as might later be annexed; it made it certain that henceforth there would be a tolerably uniform system of colonial administration. Of course this gives to Congress precisely those despotic powers, the application of which at the hands of Parliament caused our American Revolution. In striking down for ever the doctrine of "popular sovereignty," Congress has also precluded any such elastic system as that which binds the Canadian and Australian and South African communities to Great Britain.

An even more notable advance or retreat from the older ideas of the Constitution was Lincoln's proclamation in the following September abolishing, as from New Year's Day, 1863, slavery in rebellious States. "I do not wish," he said to his Cabinet[2], "your advice about the main matter; for that I have determined for myself." He justified it as a "measure otherwise unconstitutional" which had "become

[1] A. B. Hart, *American Foreign Policy*, pp. 158–9.
[2] MacDonald, pp. 457–9; Rhodes, IV. 161.

lawful by becoming indispensable to the preservation of the nation"; and thus he applied to the special circumstances of the United States the far older maxims *salus populi suprema lex* and "necessity knows no law."[1] Slavery in the southern States was abolished in 1862 by as autocratic a ukase as serfdom was abolished in Russia in 1861. For clearly, slavery, abolished in the South on the plea of military necessity, could not be restored when abolition had served its purpose; and Abolitionist States which were not in rebellion could not retain slavery within their borders after they had abolished it in States which had rebelled in order to preserve it.

The "national supremacy" which the Union thus asserted over "sovereign" States was the very essence of imperialism. No State could escape from the Union; its allegiance was indefeasible. It had no natural right to self-determination. The individual might put off his nationality and be naturalized elsewhere, but not the individual State. The United States were one and indivisible, and the unity of its empire was precisely that for which Great Britain had fought in 1776.

Bitter experience was making havoc of the theories of the American Revolution; and what Mommsen called "the mightiest struggle and most glorious victory as yet recorded in human annals"[2] was only

[1] Cf. Bryce, *Amer. Commonwealth*, 1898, I. 298.
[2] Rhodes, I. 1.

won by the sacrifice of much that had been cherished as their own peculiar virtue by the American people, just as in another and still mightier struggle both the American and the British people had to stomach their objections to poison gas, defence of the realm acts, and a hundred other horrors of war. This restriction of individual liberty, which the tightening of collective organization always involves in time of war, has sometimes been used as an argument for the Monroe Doctrine. "The inevitable tendency of a direct interference in foreign wars, even wars for freedom," declared John Quincy Adams on 4 July, 1821, "is to change the very foundations of our government from liberty to power"[1]; and the argument has lately been revived as a criticism of American intervention in 1917[2], which is alleged to have involved a greater infringement of personal liberty than was experienced under Abraham Lincoln.

But if civil war reduced legality to silence, the problems of reconstruction in the conquered States long tied the tongue of liberty; and militarism in the subject South went hand in hand with reaction, imperialism, protection, and corruption in the victorious North. In one respect a humane example was set for victors in a civil war: no executions followed the trials for treason, and even Jefferson Davis was

[1] *Writings of John Quincy Adams*, VII. 201.
[2] S. E. Morison in *Revue des Sciences Politiques*, XLVII. 64.

released after some years of imprisonment. But an assassin, shouting the motto of his kind, *sic semper tyrannis*, cut off Lincoln when his restraining hand was needed as much for reconstruction as his invincible courage and wisdom had been for purposes of war; and his accidental successor, Andrew Johnson, while he had the will, had not the strength of intellect or character to check a revengeful majority in Congress, which combined in one policy northern retaliation on the rebellious South with legislative retaliation on a usurping executive power. Full amnesty was not granted the South until forty-three years after the Civil War had ended and a foreign war with Spain had begun; and the keystone of the Republican policy of reconstruction, *viz.* universal negro suffrage in the South combined with the disfranchisement of the seceding whites, "resulted in the worst government ever known in the United States." "These pitiless years of reconstruction" were "worse than the calamities of war"[1]; and the latter half of the aphorism that "a democracy pretending to sovereignty over democracies is either a phantom or the most intolerable of oppressions"[2] was never more luridly illustrated than by the

[1] Rhodes, VI. 324, 329; VII. 141. See documents in MacDonald, pp. 482–564.

[2] F. S. Oliver, *Life of Alexander Hamilton*, 1906, p. 476.

despotic rule of the victorious Republicans over the South during the years succeeding the Civil War.

Despotic government at home expressed itself in aggressiveness abroad. The North had emerged from the struggle with an immense and efficient army and with a navy which, under Farragut's leadership, had contributed almost as much to the successful issue. More important than either was the disappearance of the dichotomy under which the North had checked the ambition of the South and the South the expanding tendencies of the North. The victorious party took over Southern ambitions besides retaining its own; and, there being no longer any danger to fear of the extension of slavery, the North relinquished its objections to expansion in the Caribbean Sea. But the first exercise of its new power was in the legitimate sphere of self-defence, and Napoleon III's ill-advised and ill-starred project of a Mexican Empire was brought to a summary end by a firm but diplomatic notice to quit. That action, taken alike in the interests of Mexican independence and of American security, could not obviously be followed by a repetition of the Mexican wars of the 'forties; and in 1867 the Senate even rejected a treaty for the purchase of the Danish West Indian Islands[1]. But President Grant persistently leant his ear to designs on Cuba and San Domingo. He signed a proclama-

[1] Rhodes, VI. 213.

tion recognizing the belligerency of the Cuban guerillas on 19 August, 1869; but his prudent Secretary of State, Hamilton Fish, instead of issuing it, locked it up pending further instructions from the President which never came. Fish also in 1873 avoided the war with Spain for which people clamoured over the affair of the *Virginius*, a vessel improperly using the American flag and assisting the Cuban rebels as the *Alabama* had done the South. More serious efforts were made to annex San Domingo. Babcock, an agent of the President, concluded an unauthorized treaty of cession in 1869; but the Cabinet was opposed to the policy. Sumner compared San Domingo with Naboth's vineyard[1] and the treaty failed to pass the Senate in June, 1870.

Sumner had his own hankerings after expansion, but he preferred a northern direction. Alaska had been purchased from Russia in 1867, and Republicans turned somewhat envious eyes towards Canada. Living so largely in the past of the Revolution and in the sedulously fostered legend of a tyrannical British Empire, they found it difficult to believe in Canadians who preferred continuance in that Empire to absorption in the United States; and they were not prepared for a constitutional development which ultimately admitted Canadians within the British Empire to a higher status in international affairs than

[1] Rhodes, VI. 362.

they would have possessed as States within the American Union. Americans were more impressed by Papineau's and Mackenzie's risings in 1837 and by the Montreal manifesto of 1849[1] in favour of union with the United States than by less sectional and more permanent manifestations of Canadian opinion; and in 1867 the House of Representatives so far forgot itself and the principles of the Revolution as to protest against the voluntary formation of the Federation of Canada[2]. Americans still regarded England as one "of the despotic dynasties of Europe," and in the name of "the great principles of self-government" clamoured for "the subjugation of the whole continent."[3] Jefferson had in 1809 prophesied the annexation of Canada; war had been declared in 1812, partly at least with that object; and the incidents and the results of the civil war seemed to Seward and Sumner to bring that consummation within reach. After the civil war, says an American historian, Seward "attempted to inaugurate a new era of annexation"[4]; and a colleague remarked of Sumner that "it sometimes seemed as if he thought the Rebellion itself was put down by

1 *The British Empire*, ed. A. F. Pollard, 1909, p. 274.

2 A. B. Hart, *op. cit.* p. 220.

3 Quotations from the *New York Herald* and the *Washington Union* in E. D. Adams, *Power of Ideals in American History*, p. 85.

4 A. B. Hart, *op. cit.* p. 127.

speeches in the Senate."[1] As chairman of the Senate's Committee on Foreign Relations, he certainly made, on 13 April, 1869, a speech well calculated to raise a war between the British Empire and the United States.

It was in opposition to the Johnson-Clarendon Convention for arbitration on the *Alabama* claims. There were countervailing considerations arising out of Fenian raids into Canada which had been organized on American soil and for which the American government was as responsible as the British government for the depredations of the *Alabama*. Sumner subsequently brushed these aside in a memorandum in which he wrote that Fenian disturbances in the United States were "excited by the British flag in Canada. Therefore the withdrawal of the British flag cannot be abandoned as a condition or preliminary of such a settlement as is now proposed. To make the settlement complete, the withdrawal should be from this hemisphere, including provinces and islands."[2] Senator Chandler was even more bellicose.

[1] Rhodes, VI. 353. Sumner's collected *Works* run to 15 volumes.

[2] Rhodes, VI. 358. Carlyle's comment on Sumner is even more devastating than usual—"the most completely nothin' of a mon that ever crossed my threshold, naught whatsoever in him or of him but wind and vanity" (Pollak, p. 418). A more eulogistic estimate is naturally given by Henry Adams (*Education*, pp. 30–1, 102).

"If Great Britain," he said, "should meet us in a friendly spirit, acknowledge her wrong, and cede all her interests in the Canadas in settlement of these claims, we will have perpetual peace with her; but if she does not, we must conquer peace. We cannot afford to have an enemy's base so near us. It is a national necessity that we should have the British possessions. I hope that such a negotiation will be opened and that it will be a peaceful one; but if it should not be and England insists on war, then let the war be short, sharp, and decisive."[1]

There was a good deal of inflation in the victorious North in ideas and in speech as well as in financial currency; and, just as money was made by fiat, so war was to be made short and decisive by senatorial eloquence, and Canada was to be acquired by inflating American claims to compensation for the ravages of the *Alabama*. Sumner put these, in his speech of 13 April, 1869, at fifteen million dollars for individual losses, 110 millions on account of the disappearance of America's mercantile marine, and 2000 millions on the ground that the effect of the *Alabama's* activity had been to prolong the civil war for two years. The most pertinent comment on these pretensions is that of the American historian, J. F. Rhodes: "of all the outrageous claims," he writes,

[1] Rhodes, VI. 342.

"of which our diplomatic annals are full, I can call to mind none more so than this."[1] Yet Sumner was then, says Mr Rhodes, "next to Grant the most prominent figure in our national life."[2] His speech, though delivered in secret executive session of the Senate, was immediately authorized for publication and President Grant thanked him for it. Fortunately the President paid no further attention to the matter, being far more engrossed in his schemes for Cuba and San Domingo; and Hamilton Fish, the Secretary of State, and Charles Francis Adams, the American Minister in London, were statesmen of a different calibre. Sumner did not even represent a passing mood of the American people, and he was soon deposed from the chairmanship of the Senate's committee on foreign relations, mainly, it would seem, on account of Grant's annoyance at Sumner's reference to San Domingo as Naboth's vineyard. Sumner himself had his lucid moments, and he voted for the Treaty of Washington under which the court of arbitration unanimously dismissed his fantastic pre-

[1] *Hist. U.S.A.* VII. 339.

[2] *Ibid.* VI. 340. Sumner himself thought his speech was "kindly and pacific in tone," and his biographer maintains that view (Pierce, *Life of Sumner*, IV. 386). But Henry Adams tells how "he listened with incredulous stupor while Sumner unfolded his plan for concentrating and pressing every possible American claim against England, with a view of compelling the cession of Canada to the United States" (*The Education of Henry Adams*, 1918, p. 275).

tensions and reduced American compensation to the fifteen million dollars for individual losses. Much even of that accrued to the American treasury in default of individual claimants for damages which the government had alleged on their behalf.

The Geneva arbitration destroyed the fulcrum on which Sumner and Chandler had relied in their dreams of absorbing Canada. The federation, consolidation, and filling up of that Dominion, combined with the growth of other ideas in the United States, reduced the possibilities of extending the northern frontiers of the United States to disputes about the boundaries of Alaska which were settled by a series of arbitrations; and aversion in the North from including more people of mixed southern blood as citizens of the United States helped to fix its southern frontier in spite of considerable provocation to extend, if not its boundary, at least its control over Mexican disorder. There remained the Caribbean Sea where native anarchy and strategic importance, especially in view of an Isthmian canal, held out great inducements to intervention. Grant had been inclined to yield to the temptation; but on the whole the United States resisted it with a fortitude unusual in great powers and distinctly superior to that exhibited in earlier periods by Great Britain and by the United States itself in the "roaring 'forties." When Spain was deprived of Cuba in 1898, the island was not

annexed to the United States[1] but made an independent Republic; and San Domingo, in spite of Grant's desires, was left to stew in its native juice. Puerto Rico, which was ceded by Spain in 1898, and the Virgin Islands, which were sold by Denmark in 1916, were the only American acquisitions in the Caribbean Sea; and American annexations elsewhere are a slender foundation for empire and imperialism, if those terms are restricted to overseas possessions. But that arbitrary distinction between continental and overseas expansion acquits the United States of imperialism, when it was most expansive and aggressive, only to accuse it when its expansion and imperialism were tempered and restrained by ideas and ideals of another order.

The conventional distinction really arises from a somewhat extraneous constitutional consideration, and is made to meet a logical dilemma due to the fact that the abstract doctrines of the American Revolution are not compatible with the government of Dependencies incapable of governing themselves[2].

[1] On 20 April, 1898, five days before the United States declared war on Spain, it declared that "the people of Cuba are, and of right ought to be, free and independent" (MacDonald, *Source-Book*, p. 598).

[2] See the antagonism clearly put in A. B. Hart, *op. cit.* pp. 168–71: "that system means a change in American standards of government and human rights. We must give up our fine contempt for other nations which rule with an iron hand; we must abandon the principle that 'all just govern-

So long as the territory acquired by the Union could be peopled by Americans growing more numerous than the dispossessed Indian or Mexican natives, and could be governed as Territories or States in accordance with the Constitution, no expansion, however extensive, amounted to imperialism. The "sovereign and independent empire," as Americans called the United States in 1803, was to be an empire without imperialism and a sovereign without subjects[1]; and both Canada and Mexico might, on this interpretation, have been brought under American government without provoking the charge of imperialism to which the acquisition of comparatively insignificant islands in the Pacific first gave rise. The white man might, therefore, exterminate Indians or confine them to reservations without incurring the charge of imperialism; but he could not govern Hawaiians, however beneficently, without becoming an imperialist. Hence "imperialism" was a matter, not of expansion, but of unrepresentative government and the admitted inequality of man.

The question really depended upon sea-power, which makes dominion possible where extermination is not. The sea forbade emigration to Hawaii and

ment depends on the consent of the governed.'... We must either yield part of our protective policy, or give up the principle for which our forefathers fought in the Revolution."

[1] Henry Adams, *Hist. U.S.A.* ii. 100.

the Philippines on the scale which enabled the United States to people Texas and California and rule them on the principles of the Revolution. But the preservation of Filippinos required British rather than American methods of dealing with native races; and imperialism was to Americans primarily British imperialism, which had always depended upon the British Navy and growth across the seas. But Jefferson had strongly objected to any acquisition by the United States which would require a navy to protect it, partly for the domestic reason that a navy would be a powerful weapon in the hands of a centralizing government, but also because it fostered foreign complications and implied reliance on force to govern and retain the dependencies; and in the Philippines, for instance, the basis of government is the American Navy and not the American Constitution[1].

It was, therefore, the Spanish-American war of 1898 and the overseas dominion, in which it involved the United States[2], which gave rise to the adoption of "imperialism" as a conscious policy by perhaps half the American people; and it was the incompatibility of that policy with the natural equality of man and accepted dogmas of the Revolution which

[1] Jefferson's objection was at bottom the same as John Quincy Adams' objection to war; see above, p. 203.

[2] See text of the Treaty of Paris, 10 Dec. 1898, in MacDonald, *Source-Book*, pp. 602–8.

suggested that retrospective interpretation of the Constitution, according to which its authors planned "an American Empire in which the American Confederation was to be the Imperial State."[1] But no one imagines that the United States went into the war of 1898 in order to annex the Philippines, or Cuba, or Puerto Rico. The motive was rather humanitarian sentiment, exploited no doubt by a section of the Press and reinforced by the annoyance which anarchy always inflicts on its neighbours. Cuba was soon given independence; and, doubtful as is the capacity of the Filippinos to govern themselves, there is a strong body of public opinion in the United States anxious even now to accord the same independence to them. The truth is that, in so far as imperialism implies annexations, the American people have been far less imperialistic since 1898 than the Democrats were in the "roaring 'forties" or the Republicans after their triumph in the Civil War.

Any substance for the charge must be sought in other directions than annexations, and it is to be found, if anywhere, rather in the increased authority, than in the expanded territory, of the United States. Cleveland and Olney had no annexations in view when they intervened in the Venezuelan dispute with

[1] Alpheus Snow, *Administration of Dependencies*, p. 350. McLaughlin and Hart, *Cyclopaedia of American Government*, 1914, s.v. "Imperialism."

Great Britain; and annexation was not the motive of America's high-handed dealings with Colombia over the Panama Canal. But Olney's assertion that the United States was practically sovereign and its fiat law on the American continent[1] was imperialism none the less real because it implied no annexation; and over the Panama question the United States exercised an authority as sovereign as that which Parliament exercises when it empowers a railway company compulsorily to acquire the necessary land from a recalcitrant owner. It is in America's reversion to the sovereignty of the State that lies the gravamen of the charge of becoming as imperialistic as the British Empire against which it rebelled under George III.

The imperialism which is implied in absolute sovereignty may have been implicit in the American Constitution from its foundation. Hamilton in the last number but one of *The Federalist*[2] had argued that such "abridgements of prerogative" as Magna Carta, the Petition of Right, and the Bill of Rights, "have no application to constitutions" like the American "founded upon the power of the people

[1] The fact that Olney's dispatch related to Venezuela indicates that by "the American continent" he meant South as well as North America. His successor, Mr Hughes, has been more than once concerned to repudiate this interpretation which he has described as "the only disturbing influence upon our relations with Latin America."

[2] Ed. H. C. Lodge, p. 536; ed. Sir W. J. Ashley (Everyman's Library), p. 438.

and executed by their immediate representatives and servants." Fisher Ames had complained as early as 1803 that "our country is too democratic for liberty"; South Carolina declared in 1860 that the United States were "a consolidated democracy" and "no longer a free government but a despotism"; and a modern American constitutionalist avers that "there is no reason in principle or in tradition why any question should be excepted from the power of the American Union to decide."[1] If the despot is only the people, there is, it would seem, no need to limit its despotism. "The will of the majority," says M. Paul Boncour, "can never be called a *coup d'état.*" In Lincoln's time the President's proclamations had the force of law because he was the elect of the people; and that is a faithful translation of the old text of Roman imperial law: *Quod principi placuit legis habet vigorem utpote populus ei et in eum omne suum imperium et potestatem conferat.* When in 1895 Mr Olney extended the scope of that sovereignty to people who took no part in the election, and asserted that the fiat of the United States was law over the American continent, he was expressing principles identical with those on which the *Senatus Populusque Romanus* had founded the Roman Empire; and the Democratic heirs of the law of nature, of enumerated powers,

[1] Henry Adams, *Hist. U.S.A.* i. 83–4, 129; Alpheus H. Snow, *Government of Dependencies*, 1902, p. 600.

and of the rights of man, grew as fond of fiat law as they had ever been of fiat money.

Modern politics are, however, especially in America, matters of mood and tense; and the present of 1895 became a distant past in less than a generation. The Democrat Olney stood at the end of the nineteenth century at the opposite pole to Jefferson who founded the party and came into power in 1801: and the mood of the people had travelled from simple to splendid government, from the liberties of the individual to the sovereignty of the State, from the rights of man to the might of peoples, from the doctrine of "enumerated powers" to that of unrestricted will. But this, too, was a passing mood; and before twenty years had passed another Democrat arose who re-created the Democratic party[1], restored it to power after sixteen years of exile from the Presidential chair, recalled some of Jefferson's principles, and tempered imperialism with an idealism which gave fresh inspiration, not to Americans alone, but to the Commonwealth of Nations. "The United States" declared Woodrow Wilson at Mobile on 27 Oct. 1913, "will never again seek one additional foot of territory by conquest."[2]

[1] Cf. Page to President Wilson (*Letters*, II. 190), "You have re-made the ancient and demoralized Democratic Party."

[2] A memorial tablet with these words was unveiled at Mobile on 27 Oct. 1924.

CHAPTER VI

Idealism

FIFTY years of American Idealism is the challenging title of an American book published in 1915[1] as a survey of the history of the United States from the close of the civil war to the eve of American intervention in the great struggle of 1914–1918. The title was accurate enough as a description of the contents of the book, consisting as it did in a history of, and reprints from, the New York *Nation*, which from its first appearance in July, 1865, consistently urged the value of high ideals in American politics. It is more dubious as a description of American politics during that period, and the *Nation* found as much to censure as to praise. It began its career, says the editor[2], when "America was very provincial-minded, more than a trifle crude, and afflicted with Chauvinism"; and forty years later its mentor, Charles Eliot Norton, almost echoing the words of George Washington in 1787[3], wrote: "I have been too

[1] Ed. Gustav Pollak, 1915 (Houghton, Mifflin Co. New York).

[2] *Ibid.* p. 81. Henry Adams (*Education*, p. 244) refers to "the elevated plateau of the New Jerusalem occupied by Godkin and the *Nation*."

[3] See above, p. 67.

much of an idealist about America, had set my hopes too high, had formed too fair an image of what she might become. Never had nation such an opportunity, she was the hope of the world."[1] Norton died in 1908. He would have been less depressed had he lived till 1918; and the outstanding characteristic of that half-century of American history is the slow gathering of idealistic forces which ultimately raised the President of the United States to a place in the eyes of the world which no man had occupied before.

There was little enough of that idealism in the years succeeding the civil war when Grant, for the first time since Andrew Jackson, served out two terms as President and dimmed the lustre of his warlike fame. "A great soldier," says Henry Adams, "might be a baby politician." "The nation," writes another American historian, "was apparently without ideals, save those of industrial progress"; and again, "all ideals shared in the intellectual and moral lethargy" of the period[2]. The "remorseless absorption of its best intellects and strongest personalities in the routine of business"[3] involved a neglect of the common duties of citizenship, and threw public affairs into the hands of as corrupt a generation of

[1] Pollak, p. 420. Cf. Jefferson and Wilson, below, pp. 226, 252.

[2] *The Education of Henry Adams*, p. 262; E. D. Adams, *Ideals in American History*, pp. 118, 142.

[3] New York *Nation*, 20 July, 1911.

professional politicians as ever defiled an unredeemed autocracy in Europe. "What sort of a legislature have you got?" asked Lord Bryce in a particular State. "As good a one as money can buy," was the reply; and the venality of State legislatures "was surpassed only by the prostitution of their legislative functions by the members of municipal councils."[1] Boss Tweed was a "man of the time" and Tammany its spiritual home; and Grant's two terms of presidential office were an unbroken period of "baptizing the Republican party anew in the faith of the almighty dollar."[2] "The moral law had expired—like the Constitution."[3] The action of reformers themselves was only intelligible to their opponents on the supposition that they had been bribed with British gold[4]. If slavery in politics was the keynote of the age which preceded the civil war, commercialism in politics was the distinguishing feature of the "brief and discredited decennium"[5] which succeeded. Indeed, the first use the Republicans made of their victory at the polls in 1860 was not to abolish slavery, but to

1 *Modern Democracies*, II. 525.

2 New York *Nation*, 18 Feb. 1904; Pollak, pp. 164–5, 190, 220–1. For a defence of Grant see L. A. Coolidge's *Life*, 1922.

3 Henry Adams, *op. cit.* p. 280.

4 Cf. the charges against David A. Wells in 1869, Rhodes, VI. 276–8; Pollak, pp. 100–1.

5 C. F. Adams, *Trans-Atlantic Historical Solidarity*, 1913, p. 180.

enact the Morrill tariff; and its duties, further increased in 1862 and in 1864 as war measures, were retained after the peace and used as a basis for fresh advances with each successive electoral triumph of the party. Republican protection in the United States was only tempered by the fact that it helped to set the prostrate Democrats on their feet, and paved the path of Democratic candidates, Cleveland in 1884 and in 1892 and Wilson in 1912 and 1916 to the Presidential chair. The common ideal was national self-sufficiency: "We should," said Horace Greeley, "live wholly within ourselves"[1]; and the conception, which is as old as Aristotle, is as modern as Sinn Fein in Ireland and the Swarajists of India.

The tariff became "a sort of American fetish," and native genius was to be protected by its means. "Books and pictures," complained the *Nation*, "are simply merchandise.... To the ordinary Congressman a picture is so much furniture.... If an American wants to paint a man, let him paint one of his countrymen from life; if a horse, an American horse; if a house, an American farmhouse.... About the value of 'the old masters' he is highly sceptical. To him they are fossils."[2] But while American genius was to

[1] Rhodes, VI. 176. Cf. F. W. Taussig, *Tariff History of the U.S.* 6th ed. 1914.

[2] Pollak, p. 150. The idea was by no means new. "We must naturalize the arts in our country," declared Henry Clay in introducing his tariff reform in March, 1824, "and

be protected by duties on foreign works of art and literature, foreign artists and men of letters might be robbed with impunity. A Congressman once boasted of that absence of copyright which enabled American publishers to pirate the work of British authors and to provide the poorer classes in the United States with literature which Americans could not produce themselves[1]. The temptation was no doubt great; but if "the reading matter" of the United States was "almost entirely foreign," it was because literature was "not a lucrative profession" and there were "few inducements to pursue it" in America. "The American mind...shunned, distrusted, disliked, the dangerous attraction of ideals, and stood alone in history for its ignorance of the past."[2]

Education was still in the "bricks and mortar" stage; and its defects were well illustrated by an essay of Francis Parkman written in 1869[3]. "The tendency," he said, "of a partial education...is to produce an excess of self-confidence; and one of its

we must naturalize them by the only means which the wisdom of nations has yet discovered to be effectual—by adequate protection against the otherwise overwhelming influence of foreigners. This is to be accomplished only by the establishment of a protective tariff" (Moore, *Congress*, p. 235).

1 Pollak, pp. 34–9, 126, 170–2.

2 Henry Adams, *op. cit.* p. 328.

3 Pollak, pp. 245–53.

results in this country is a prodigious number of persons who think, and persuade others to think, that they know everything necessary to be known, and are fully competent to form opinions and make speeches upon all questions whatever." An amusing illustration of this tendency was the question put to a witness by a member of the Senatorial Committee of inquiry into the *Titanic* disaster in 1912 who asked whether many of the passengers sought safety in the water-tight compartments! Of the obstacles to real learning, continues Parkman, "perhaps the most obvious is the ascendency of material interests among us. To the great mass of our population, the clearing of lands, the acquiring of new territory, the building of cities, the multiplication of railroads, steamboats, and telegraph lines, the growth of trade and manufactures, the opening of mines, with resulting fine houses, fine clothes, and sumptuous fare, constitute the real sum and substance of progress, and the basis of civilization is accepted for the entire structure.... Our material growth so greatly exceeds our other growth that the body politic suffers from diseases of repletion." "From the moment that railways were introduced," says Henry Adams, "life took on extravagance," and in 1868 Union Pacific Railroad Stock paid dividends of 300 per cent. American society arrived at the stage of flatulence. "The high-water mark of corruption in national affairs," writes Mr

Rhodes, "was reached during Grant's two administrations." Senator George F. Hoar repeated a taunt against the United States, which he had heard "from the friendliest lips," that "the only product of her institutions in which she surpassed all others beyond question was her corruption."[1] "Show," wrote Lowell with bitter irony of the Centennial Exhibition held in 1876 to celebrate the Declaration of Independence,

> Show your State Legislatures; show your Rings;
> And challenge Europe to produce such things.

Lowell's satire was published in the *Nation* for 5 August, 1875, but Thomas Nast's cartoon, suggested by it, was suppressed[2]. The descent from idealism to realism during the hundred years of independence was not a popular theme for the centenary. Nor was it a characteristic peculiar to the United States. The American celebration emphasized the contrast between 1776 and 1876, and the eminence of American idealism in 1776 set a higher than European standard for the United States. But idealism was not the exclusive property of American colonists in the eighteenth century, and Lafayette reflects a little of the glory of the Revolution. So, too, in 1876 there was *realpolitik* in Europe as well as in America; and on both sides of the Atlantic there

[1] Rhodes, VII. 8, 191, 193; *The Education of Henry Adams*, p. 239.

[2] A. B. Paine, *Life of Thomas Nast*, 1904, p. 363.

had been a common trend from idealism towards nationalism, imperialism, commercialism, and materialism. The Monroe Doctrine was no prophylactic against the common tendencies of human nature and the infection of example, interests, and ideas; and the "philosophy which makes national isolation the highest good"[1] is akin to the lack of perspective which would isolate American history from the history of the world and select the United States as the single illustration of the reactions of man since 1776. It was exceptional mainly by reason of the special vision of a new world which the American Revolution had held out before the jaded eyes of Europe. "The world's best hope," was Jefferson's description of American government in his first Inaugural in the first year of the nineteenth century[2].

Society, sick of itself in the eighteenth century, had turned to nature and the simple life. Rousseau taught court ladies to nurse their own infants and men to dream of natural rights. They put nature in the place of the Deity, and made it the test of what was right. Natural religion supplanted revelation, and natural law the law of God. Mediaeval schoolmen had held that natural law was that part of the mind of God which man could discover by using his reason[3],

[1] Pollak, p. 95.
[2] *Works*, VIII. 1–6; Moore, *Congress*, p. 184.
[3] Becker, *op. cit.* p. 137.

and modern revolutionists thought the part was greater than the whole. On the ruins of the Bastille the French Revolution erected a plaster-of-paris statue of nature; it found a new goddess in reason, and in place of the Christian calendar substituted the era of the Republic and a calendar based on nature's seasons. Englishmen's nature was less spectacular, but they went to nature for most of their nostrums; and, after all, Thomson's *Seasons* had contributed liberally to Rousseau's rural delirium which inspired the French revolutionary calendar[1]. So, too, the Levellers of Cromwell's time had "cried out for natural rights derived from Adam and right reason"[2]; and both Hobbes and Locke had deduced their political theories from their conceptions of nature; or rather, perhaps, had constructed theories of nature to support their political views. Hobbes envisaged a state of nature, in which the life of man was "solitary, poor, nasty, brutish and short,"[3] in order to infer therefrom the necessity of an absolute State. Locke depicted a humaner nature in order to relieve man from recourse to so drastic a cure for anarchy; and Lowell compressed Locke's doctrine of a reasonable nature into the line:

Before man made us citizens, great Nature made us men.

1 *Dict. Nat. Biogr.* s.v. Thomson, James.
2 Becker, *Declaration of Independence*, p. 34.
3 *Leviathan*, c. XIII.

Rousseau carried the process of idealization to its logical conclusion, and made nature perfect in order to demolish the case for priests and kings and any sovereignty over men. By nature men were free and equal; and Jefferson derived American claims to independence of George III from "the laws of nature and of nature's God." "Whether we should recur to the law of nature," wrote John Adams, "was one of the two points most laboured in the Committee for drafting the Declaration of Independence. I was very strenuous for retaining and insisting on it."[1]

The doctrine was nearly two thousand years old, and the natural equality of man had been asserted by Cicero, Seneca, and Ulpian. But this idealized view of nature, in which inequality and injustice appear as later corruptions of an original state of grace, only emerges in highly refined societies. It was no more in vogue in primitive Rome than it was in the earliest days of American colonization. Distance lent enchantment to the view, and the further men travelled from nature's actual grip the more attractive did her embraces appear. Men had advanced far enough in the eighteenth century to forget what dependence on nature meant to uncivilized man; and they pictured a noble savage, free and equal, independent and

[1] *Works*, II. 370, cited in Becker, p. 119. Jefferson's account of the drafting of the Declaration is in his *Works*, X. 266–9.

happy, in the enjoyment of "certain inalienable rights," with which he had been endowed by his Creator[1]. They reversed the order of scripture, and, recoiling from Revelations, got back at last to their book of Genesis and to man before the fall. Sin had not affected the rights of man, and the Declaration of Independence did not refer to his obligations[2]. It was part of the general "revolt of man" against "power" which "pollutes whate'er it touches," against obedience "the bane of all genius, virtue, freedom, truth,"[3] and against the "sickly forms which err from honest nature's rule."[4]

More specifically, if less poetically, the revolt was against the estrangements which severed man into social classes and national states. The eighteenth century "with the lantern of enlightenment went up and

[1] Jefferson was at one time inclined to think the natural society of Red Indians preferable to the civilized society of his fellow-countrymen. See below, p. 233, and cf. Dryden's

> I am as free as nature first made man
> Ere the base laws of servitude began
> When wild in woods the noble savage ran.
> (*Conquest of Granada*, Pt. I. Act. i. Sc. I.)

[2] Cf. Burke's comment on the French version of the rights of man: "They made and recorded a sort of institute and digest of anarchy called the 'Rights of Man'" (*Works*, ed. 1834, I. 378; Boston ed. 1865–7, III. 221).

[3] Shelley, *Queen Mab*, I. Cf. G. Gordon on "Shelley and the Oppressors of Mankind" in *Trans. Brit. Acad.* vol. x (1922).

[4] Tennyson, *Locksley Hall.*

down the field of human history looking for man in general, the universal man, man stripped of the accidents of time and place: it wished immensely to meet Humanity and to become intimate with the Human Race."[1] The Psalmist had asked in his reverence: "What is man that Thou art mindful of him?" Diogenes deserted his tub to search for the superman, and Plato wanted to make him king. But Luther, in his earlier revolutionary days, appealed to the common man, the man in the street or the cottage, against princes and priests[2]; and the eighteenth century peered around for the general will and the citizen of the world. Man sought for his fellowman and put in mankind the trust he had once reposed in Providence. "The savage and the civilized man," wrote d'Holbach, "the white man, the red man, the black man; Indian and European, Chinaman and Frenchman, negro and Lapp have the same nature"[3]; and the most flamboyant scene of the French Revolution was the appearance of Anacharsis Clootz as "Speaker of the human race" and "with the human species at his heels," to plead with reasons "written on the hearts of men" for the federation of the world[4]. One touch of nature made the whole

[1] Carl Becker, *Declaration of Independence*, p. 62.
[2] Cf. *Cambridge Modern History*, II. 174–7.
[3] Quoted in Bury, *The Idea of Progress*, p. 167.
[4] Carlyle, *French Rev.* vol. II. Bk I. chap. 10.

world kin, and pictured the scenery of the American Revolution. "Our ancestors," said the Assembly of Massachusetts to Governor Hutchinson, "compacted with the king...not in his public or politic, but natural capacity only." Nature, writes Shelley, "rejects the monarch, not the man."[1]

But both the American and the French Revolutions were the precipitate steps of nations breaking the ranks of the slower advance of general man. The orators of the human race were soon supplanted by the captains and the kings of states, and the federation of the world dissolved in universal war. The Restoration, as expressed in the thought of Joseph de Maistre, set itself *absolument tuer l'esprit du dix-huitième siècle*. "Locke and Hume, Voltaire and Rousseau were habitually spoken of as very scourges of God."[2] The solidarity of mankind disappeared in the wreck of humanity and in the resurrection of states, while the God of battles was restored to preserve the balance of power. "Every nation for itself," cried Canning, "and God for us all." "I have seen," wrote de Maistre, "Frenchmen, Italians, Russians; but as for Man, I declare I never met him in my life."[3] The nineteenth century, says Prof. Becker, knew men

[1] McIlwain, *American Revol.* p. 135; Shelley, *Queen Mab*, p. 15 (Chandos Classics).

[2] Lord Morley, *Critical Miscellanies*, II. 262–3, 287.

[3] *Œuvres* (ed. 1875), I. 68, quoted in Becker, *Declaration of Independence*, p. 279.

and nations but not Man. Nature suffered in the common disaster. Wordsworth's nature, which to him "was all in all" and "never did betray the heart that loved her,"[1] became Tennyson's nature, "red in tooth and claw" which "shrieked against the creed" of man[2]; and Darwin erased the golden age of natural equality with a law of nature which imposed a universal struggle for existence and the survival of the fittest. Nature reverted to her original sin; and the nineteenth century proceeded to its conclusion that chaos was natural law, and order the dream of man[3].

Secure in their remoteness, the United States might have seemed immune from European reactions; and both Canning and Monroe had striven to maintain the Atlantic, however flat the Pyrenees and other barriers might fall. But America, which had survived its own revolution, was well on the road to reaction before the French Revolution got under weigh; and the philosophy of 1776 was ruled out of the Constitution of 1787[4]. Jeremy Bentham had already, in the year of the American Revolution, substituted the rights of majorities for the rights of

[1] *Tintern Abbey*, ll. 75, 122–3.

[2] *In Memoriam*, LVI; cf. Housman's "heartless, witless nature" (*Last Poems*, xl.).

[3] The moral of Karl Pearson's *Grammar of Science*, published in 1899 (cf. *The Education of Henry Adams*, p. 451).

[4] See above, pp. 67, 69, 72, 90, 104–6, 128–9, 178–9.

man[1], and had become a more accurate prophet of the course of American history than John Adams or Tom Paine. Jefferson was both the child of the eighteenth and the prophet of the nineteenth century: the man who had doubted whether society "without government, as among our Indians" were not the best condition for mankind[2], postulated, in his first Inaugural, "absolute acquiescence in the decisions of the majority" as "the vital principle of republics"[3]; and that allocution of 1801 marked alike the great divide in Jefferson's career and the broad divergence of the two centuries in which he lived. Americans, indeed, could not remain citizens of the world or anarchists of the wilderness when the rest of mankind resolved itself into stubborn nationalities. They did not even remain citizens of the New World: Pan-Americanism proved no bar to Mexican wars, and the law of nature was translated into "Manifest Destiny." An American coined the classical motto for national patriotism; the asylum

[1] Becker, pp. 235–6. Cf. E. A. Pollard, *The first Year of the War*, ed. London, 1863, p. 2: "the revolution of 1776, instead of securing the independence of thirteen States, had resulted in the establishment of a grand consolidated government to be under the absolute control of a numerical majority." "The majority must govern" passed into a favourite phrase of Northern politics (*ibid.* p. 4); cf. the Prohibition Amendment.

[2] Jefferson, *Works*, IV. 362.

[3] *Ibid.* VIII. 1–6. Jefferson was also almost equally the parent of the Democratic and the modern Republican parties.

for mankind closed its doors against humanity; and in the name of liberty a new Confederation was in 1861 erected on the basis of negro slavery.

Refined society in the South was, in fact, too closely in touch with nature, as represented both by the negro and by its own Nordic instincts, to idealize it after the fashion of imperial Rome or eighteenth-century Europe; and the expanding West was too fiercely at grips with elemental facts to be able to afford the luxury of poetic imagination. The pioneer was engaged in fighting nature, not worshipping at her shrine; and the idealists of Philadelphia succumbed to the realists of the frontier. Jackson succeeded Jefferson as leader of a new democracy, and even Rufus Choate, the Whig, asked: "Is it man as he ought to be, or man as he is, that we must live with?" and flouted "the glittering and sounding generalities of the Declaration of Independence."[1]

Idealism, fortified by the sentiment for national unity, grappled heroically and triumphantly with the realistic heresy of the South; and civil war eradicated the blackest stain from the scutcheon of the United States. But the vanquished, like the absent, are always wrong; and the history that is believed and is read is that which the conquerors write. The world, which, in spite of Abraham Lincoln, remembers Gettysburg mainly for what he said there, little notes

[1] S. G. Brown, *Life of Rufus Choate*, pp. 324, 326.

nor long remembers the truth which pleased the losing cause. Victory casts its spell over all; and the winning of the West has left a glamour which conceals the seamy side of the adventure and hides the grosser effects of frontier realism upon American politics and ideas. D'Holbach's ideal nature, which had equalized white men with red men and black, was as much anathema to the western pioneer as it was to the southern planter. If the South excluded negro slaves from the category of men who were by nature free, reservations in more senses than one were made in the west for Indians whom Roosevelt called "squalid savages"; and "bleeding Kansas" did not begin to bleed until its Indian owners had been exterminated and North and South had quarrelled over the spoil. There has been one measure of justice for the proprietor of negro slaves, and another for the expropriator of native Indians[1]; and romance, which blackened the South in the pages of *Uncle Tom's Cabin*, whitewashed the West in those of Fenimore Cooper.

The historical pioneer who first illumined the significance of the Frontier in American history was not blind to its imperfections:—

[1] Compare, for instance, Whittier on "Slavery's land of woe and sin" in his *New Year*, 1839, with his *Kansas Emigrants* (*Works*, pp. 81–3, 363). For a modern American criticism see Hamlin Garland's novel, *The Captain of the Grey Horse Troop*, 1901, esp. pp. 110, 185.

"The wilderness masters the colonist. . . he shouts the war-cry and takes the scalp in orthodox Indian fashion. . . . The frontier is productive of individualism. . . . The tendency is anti-social. It produces antipathy to control, and particularly to any direct control. . . . Individual liberty was sometimes confused with absence of all effective government. . . . Individualism in America has allowed a laxity in regard to governmental affairs which has rendered possible the spoils system and all the manifest evils that follow from the lack of a highly developed civic spirit. In this connexion may be noted also the influence of frontier conditions in permitting lax business honor, inflated paper currency, and wild-cat banking. . . . Each one of the periods of lax financial integrity coincides with periods when a new set of frontier communities had arisen." "I have refrained," he continues in a note, "from dwelling on the lawless characteristics of the frontier, because they are sufficiently well known. The gambler and the desperado, the Regulators of the Carolinas and the Vigilantes of California, are types of that line of scum that the waves of advancing civilization bore before them, and of the growth of spontaneous organs of authority where legal authority was absent."[1]

Sometimes these spontaneous organs developed, like the Ku-Klux-Klan, not because legal authority was absent, but because it did not agree with the spontaneous organ; or, in other words, because the idealist maxim of the Declaration of Independence,

[1] F. J. Turner, *The Frontier*, pp. 4, 30, 32, 33 *n.* See above, pp. 145–6, and cf. Tennyson's *Columbus*:

> What a door for scoundrel scum
> I open'd to the West.

that governments derive their just powers from the consent of the governed, came into conflict with the reality that the general government of the Union or the State was not based on the consent of the general minority which was large enough to constitute local majorities; and, while the scum of advancing civilization is a familiar phenomenon, the reaction of that frontier element upon the politics of the more civilized areas is a more subtle and perhaps a more important influence in American history.

The effect of frontier conditions in promoting democracy not merely in the West but in the East has already been noted[1]. We have seen how the genteel democracy of Jefferson turned into the cruder and more vigorous democracy of Andrew Jackson, how State constitutions were revised in a progressive direction, how the suffrage was broadened and lowered, and how Lincoln brought the "free soil" doctrines of the West to bear upon the slavery issue between the North and South. For the West, which had revivified the Democratic party under Jackson, was almost the only begetter of the Republican party under Lincoln. But the appearance of the rail-splitter at White House was symbolical of other developments than that of Western youth and vigour; and an orgy of "lax financial integrity" ensued, when the civil war had done its work. Railroad "finance"

[1] See above, pp. 152–8.

was organised in the East, and the buccaneer followed close on the heels of the pioneer. But Democracy democratized corruption; the spoils system proved stronger than party differences, and was taken over by the Republicans. Ignorance invited manipulation, violence sustained corruption, and the cult of the revolver spread from the frontier to the Eastern coast, where it found congenial soil in the habits of immigrants from the more lawless parts of Europe. It can hardly be a coincidence that three Presidents were assassinated after 1860, but none before[1]. Nor can the alien immigrant bear all the blame. McKinley was killed by a Pole, but the assassins of Lincoln and Garfield, and the would-be assassin of Roosevelt in 1912 were Americans born, and Garfield's was a disappointed office-seeker who appealed in court for financial assistance from those who had come into office through his act. Even more lamentable was "the mawkish sympathy with the murderer that sometimes pervades the community,"[2]

[1] It is one of the curiosities in the history of the United States that no Democratic President has been assassinated or died in office, whereas six others had their terms cut short, three by assassination and three by natural death. Of the six, two were Whigs (W. H. Harrison and Zachary Taylor, both of them also Generals), and four were Republicans (Lincoln, Garfield, McKinley, and Harding). There have been twelve Republican Presidents, and three of them, or 25 per cent., have been assassinated.

[2] Rhodes, *Hist. U.S.A.* 1877–96, p. 147.

and yet tolerated an appalling loss of human life in preventable railroad accidents[1].

The enormous expansion of the United States—unparalleled in its rapidity save, perhaps, by Russia in Siberia—had, in fact, inevitably entailed a dilution of civilization. For civilized man, cast adrift from society, tends to revert to barbarism, and a certain density of population is essential to any standard of culture. Every State in the American Union has repeated the process of growth, but throughout the nineteenth century there were always a number in its initial stages; and the principle of averaging, in which democracy consists, while it brings up the laggards, holds back the front ranks of progress. The pioneer who was accommodating himself to the wilderness and the methods of Indian warfare brought little more help than the rawest of immigrants to statesmen who were seeking to accustom their government to international standards of finance and politics; and the frontier retarded the growth of American credit and repute. The appearance of an editorial in an Iowa newspaper advocating the repudiation of America's debts to foreign nations, on the ground that assisting the spread of American civilization was in itself sufficient recompense, was no doubt an inadequate reason for a solemn debate

[1] *Ibid.* III. 25–6: "Complete disregard of human life has now become a distinguishing trait of the national character."

and protest in the House of Lords[1]. But it and other incidents gave some colour to Charles Dickens' gibe in *Martin Chuzzlewit* that repudiation of debts had been made a national institution in the United States[2]. There was also some foundation for the character of Mr Hannibal Chollop with his brace of revolvers, his sword-stick, and his bowie-knife, "a child of Natur', and a child of Freedom," whose "boastful answer to the Despot and the Tyrant is that his bright home is in the Settin' Sun."[3] But Mark Tapley's final and ferocious caricature of the American eagle is less to the point than Martin Chuzzlewit's comparison of it with a "Phoenix, for its power of springing from the ashes of its faults and vices, and soaring up anew into the sky."

For each frontier community, with the growth of closer settlement and a more intensive civilization, gradually sloughed off its frontier characteristics; and the attainment of the Pacific coast, coupled with the wise restriction of expansion to the Canadian and Mexican boundaries, set a term to the recurrence of primitive conditions. By 1890 the frontier passed out of the sphere of dominant influences on American politics. The seed of the tares of the wilderness had, indeed, been blown far afield and could not be eradi-

[1] E. D. Adams, *Ideals in American History*, p. 90.
[2] Chap. xxxiv.
[3] *Ibid.* Chapter xxxiii.

cated in a moment; but the last decade of the nineteenth century marks a great "divide" in American history, in which the *realpolitik* of three generations of nationalism and imperialism began to wane and American thought, less absorbed in the pursuit and profits of expansion, tended to revert to the ideals and the philosophy in which the Revolution had lived and moved and had its origin.

The Constitution of 1787, framed amid the reaction which followed the War of Independence, had stereotyped its inhibition of idealism; and for a century no amendment, save those abolishing slavery, succeeded in breaking the bounds. Nevertheless, there had always been some who believed in a "higher law" than the Constitution. Webster had denied it in 1833[1], though he had admitted an extra-constitutional right of revolution. No American could well renounce that, for John Adams and the Declaration of Independence had "recurred to the law of nature"; and Seward and Channing appealed to "a higher law than the Constitution" in their protests against the Fugitive Slave law and their repudiation of the desperate Compromise of 1850[2]. The Abolitionist movement was the ex-

[1] J. W. Moore, *Hist. of Congress*, pp. 271–2, 290. Cf. Tennyson's "There is a higher law" in *The Third of February*, 1852.

[2] J. F. Rhodes, *Hist. U.S.A.* I. 162–4.

pression of an idea implicit in the Revolution, for "in the Declaration of Independence the foundation of the United States is indissolubly associated with a theory of politics, a philosophy of human rights, which is valid, if at all, not for Americans only, but for all men"[1]; and the prevarication, that negro slaves were not men but property, was a by-product of that "power which pollutes whate'er it touches." But, while the Republican party derived its moral strength from the conviction that the principle of human equality excluded negro slavery, its fundamental policy was not the abolition of slavery but the preservation of the Union; and Abraham Lincoln's place in history is due to his grasp of the fact that in politics a moral principle is subordinate to the maintenance of the means to enforce it. His business was to maintain the Union as a means for abolishing slavery, not to abolish slavery at the price of disruption. It may be the duty of the individual to sacrifice his life to his faith, but it can never be the duty of a statesman to destroy the State, for which he is trustee, for conscience' sake; for while his conscience is his own, it does not belong to him to lay the State upon the altar.

Lincoln therefore proved his statesmanship by putting the maintenance of the Union before the abolition of slavery. The mistake of his successors

[1] Carl Becker, *Declaration of Independence*, p. 225.

lay in identifying the Republican party with the State; and that straitening of loyalty lowered the standard of political morality. The permanent, though slowly realized, lesson of the civil war was that idealism could not be made effective throughout the United States by merely declaring the rights of man and leaving individual citizens or individual States to interpret the principle as they would. "The whole fabric," says Henry Adams, "required reconstruction as much as in 1789, for the Constitution had become as antiquated as the Confederation.... The Civil War had made a new system in fact; the country would have to reorganize the machinery in practice and theory."[1] A community must feel that it is a community before it can feel that it has a conscience as a community. But Calhoun had denied that the United States were a nation, and the pioneer was a determined individualist. It was the growth of communal sense in the West that proved fatal to schism in the South and gave victory to the Union in the Civil War; and the ultimate consequence was the conviction that ideals could only be put into force by the nationalization of the State. So the individual withered and the national State grew more and more.

But the individual dies hard, and harder dies the individual State. The United States were still a Federation, and their poly-political union prolonged

[1] *The Education of Henry Adams*, p. 249.

polygamy in Utah, promoted diversity of matrimonial laws throughout the Union, and fortified the Trust in diverse strongholds—lest one good custom should corrupt the whole. The ubiquitous conflict between individualism and patriotism was complicated in the United States by the intervention of an intermediate loyalty to the several States; and the path of the political, the social, the Civil Service, and the municipal reformer was beset by the multitude of authorities to be reformed. Corruption was hydra-headed; suppressed in one quarter, an abuse could generally find shelter in another[1]. The ultimate method of reform by amendment of the Constitution was long and difficult to reach; and, after the slavery amendments had been adopted, more than forty years elapsed before the policy of giving effect to idealism by means of amending the Constitution produced the 16th–19th Amendments, enabling Congress to levy an income-tax, reforming elections to the Senate, prohibiting the manufacture, sale, or transportation of intoxicating liquors, and giving votes to women.

The idea of "making man moral by act of parliament" is now familiar on both sides of the Atlantic; but it was far removed from the "rights of man" and from the revolutionary notion that liberty consisted

[1] Cf. the Civil Service Act of 1883 (MacDonald, *Source-Book*, pp. 575–81) and Anti-Trust Act of 1890 (*ibid.* pp. 591–2).

rather in the prohibition of government than in that of drink. But a seventeenth century colonel in Cromwell's army had asked: "Why did Almighty God give men reason, if they should not use it in a voting way?"[1] And men—and especially women—in the twentieth asked what was the use of a vote, or even of a State, unless it could be used to make things better; and how could matters improve if men remained the same? America was at last getting back to Aristotle's view that the State, which was created to make life possible, exists to make it good. There were two grounds of opposition to reform, firstly the varying ground of the diverse interests which did not want to be reformed, and secondly a general conservative adherence to the individualistic principles of the Revolution and dislike of "a grand consolidated government under the absolute control of a numerical majority"[2]—in other words, to the modern State-sovereignty which, under a democratic government, merges gradually and imperceptibly into State-socialism.

This conservatism drove some Republicans over to the democratic theory of States-rights as at least a partial protection against the "new revolution" and

[1] Lord Morley, *Oliver Cromwell*, p. 231: the original report of these debates is in the *Clarke Papers* (Camden Society).

[2] E. A. Pollard, *First Year of the War*, 1863, p. 2. Cf. Calhoun's speech cited above, p. 151.

the unified omnicompetent State[1]. But the habit of looking to a sovereign authority for a sovereign cure grows with the appetite for reform and the multiplication of objects to be secured. Lincoln used the Union to abolish slavery. Roosevelt and his successors wanted it to promote the Progressive programme. Puritanism, Protestant and dry, needed the Union for Prohibition, Protection needs it for the Tariff, Labour and Nationalism want it for anti-immigration laws, and Imperialism for the navy[2]. Social reformers look to it for a variety of purposes. Educational enthusiasts desire a national standard and at least a national minimum of endowment. Women want a national limit to the number of legal wives which

[1] The present writer heard ex-President Taft express this view in a lecture at Yale in May, 1913. Henry Adams crossed over from Republicanism to "free silver" in 1893, and dates from that year the triumph of "the single gold standard and the capitalistic system with its methods; the protective tariff; the corporations and trusts; the trade-unions and socialistic paternalism which necessarily made their complement; the whole mechanical consolidation of force, which ruthlessly stamped out the life of the class into which Adams was born, but created monopolies capable of controlling the new energies which America adored" (*op. cit.* pp. 344–5).

[2] The latest Amendment proposed by Congress is one to enable it to limit, regulate, or prohibit labour by children under 18 (*The Times*, 4 June, 1924), and it is being side-tracked by an appeal to States-rights, and by another proposed Amendment to make rejection by one-fourth of the States perpetually binding!

the vagaries of forty-eight State codes permit the American husband to have at once[1]. The Supreme Court itself has felt the impulse, and its decisions "have steadily enhanced the power of the National Government."[2] American idealism has found its fulcrum in the national State, despite the dogmas of the Revolution.

But the State is only a sovereign means and not a final end; and American idealism is measured by the ends for which the State is used. The American people began to think themselves imperialistic when they extended their sway across the seas; but the test of imperialism is less the extension of power than the purposes it serves, and nothing was less imperialistic in its motives than the despatch of two million American soldiers across the Atlantic in 1917–18, or American participation in a report of 1924 designed to promote the pacification of Europe. The date of confession does not fix the date of the sin, but of its recognition and of a desire for absolution; and American debate about imperialism since 1898[3] merely indicates the growth of a discrimination of which Americans were not conscious in 1848. Presi-

[1] *Yale Review*, Jan. 1925, p. 227. Eight is said to be the maximum available for the many-domiciled husband.

[2] Charles Warren, *The Supreme Court in United States History*. 3 vols. Boston, 1924.

[3] See above, pp. 212–18, and McLaughlin and Hart, *Cyclopaedia of American Government*, s.v. "Imperialism."

dent McKinley did not talk of "manifest destiny," but said, "the fortunes of war have thrown upon this nation an unsought trust"[1]; and ideas of trusteeship and service subdued the sovereign will and sobered the pomp of power.

> I did no more than others did,
> I don't know where the change began:
> I started as an average kid,
> I finished as a thinkin' man[2].

"The greatest surprise," said President Wilson, "the world has ever had, politically speaking, was when the United States withdrew from Cuba."[3]

The "new nationalism" was at first concerned with domestic matters and with the private enemies of the State who "were working to the public injury." The State began to determine and prescribe "just and reasonable" rates for railroads, and to think—now that land was limited—of taking measures to conserve the natural resources of the Union[4]. A passion for reform developed; and, no longer content with "enumerated powers" of government, people grew impatient with the limits imposed, and

[1] Baker, *Woodrow Wilson and the World Settlement*, I. 263.

[2] Rudyard Kipling, *The Return*.

[3] Baker, *op. cit.* I. 264. In view of the declaration of Congress on 20 April, 1898 (see above, p. 212), the "surprise" which President Wilson attributed to the world was not very complimentary to the United States.

[4] Max Farrand, *Development of the U.S.A.* p. 275. Cf. F. J. Turner in *Encyc. Brit.* 11th ed. XXVII. 735.

demanded radical changes in order to widen the scope and increase the pace of governmental action. Senators were to be popularly elected that they might respond more readily to popular wishes, and even judges were to be "re-called" unless they interpreted the law and the Constitution in a radical sense. Man had lost faith in himself as an individual, and began to place implicit trust in the community; instead of pride in the lonesome pioneer, there grew up reliance on legislation by the mass. The shade of Hobbes began to haunt the sanctuary of John Locke, and the conservative Mr Taft would often talk of "that Leviathan, the people."[1] Limited government of the people changed into unlimited government by the people; and in place of the earlier Jeffersonian jealousy there grew a widening faith in government as a means of giving effect to popular ideals.

Roosevelt was the embodiment of the idea in domestic policy. He was equally emphatic with regard to "whether or not we shall play a great part in the world."[2] But the part he played in the world was a compound of idealism and imperialism; and Colonel House, a political opponent, compared "Roosevelt's rape at Panama" with Bismarck's Ems telegram, and declared that "if these things had been

[1] Max Farrand, p. 276. Hobbes more properly identified his Leviathan with "a Commonwealth or State."

[2] *Ibid.* p 291.

done by private individuals they would have been classed as criminals."[1] An insignificant Central American republic could hardly, however, expect to bar for ever a world improvement like the Panama Canal; and more substantial criticism was provoked by a Bill, sanctioned by President Taft on 24 August, 1912, designed to secure a particularist benefit from the world improvement by exempting American shipping from the payment of the canal tolls in violation of the Hay-Pauncefote treaty of 1902. President Wilson, however, successfully called upon Congress to repeal the provision in March, 1914, remarking: "I shall not know how to deal with other matters of even greater delicacy and nearer consequence if you do not grant it to me in ungrudging measure."[2]

He was not the first American to invoke an idealistic spirit in international affairs. Arbitration has played a greater part in the foreign relations of the United States than in those of any other country. Even amid the chauvinistic elation of the victorious North after 1865, the basic contention of sober Americans was that the *Alabama* dispute should be submitted to arbitration; and the same desire lay behind Cleveland's and Olney's somewhat truculent intervention in Great Britain's dispute with Vene-

[1] Baker, *op. cit.* 1923, III. 79.

[2] Woodrow Wilson, *Messages, Addresses, etc.* ed. J. B. Scott, pp. 31–2.

zuela in 1895–6. There was, it was true, as Lord Salisbury pointed out, no ground in international law for such intervention by a third party. But international law was not perfect; and there was, if not a higher law, at least a higher and a broader interest upon which intervention might be based. The justification of the American demand for arbitration was that, if disputes were settled by force or the threat of force, American States would all be driven to prepare for war, and the western hemisphere might become a vaster armed camp than Europe itself. To the principle of arbitration the United States have been singularly faithful, and their fidelity has been one of their greatest contributions to civilization. The first case submitted to the Hague was submitted by the United States, and amid all the American differences of opinion with regard to intervention in Europe there is almost unanimity on the principle of the pacific settlement of international disputes.

The high-water mark of idealism was reached by President Wilson. "There is such a thing," he said in words which, spoken three days after the sinking of the *Lusitania*, earned him much opprobrium, "as a man being too proud to fight."[1] "We see," his Democratic predecessor, Jefferson, had written in 1803, "with great concern the position in which Great Britain is placed, and should be sincerely afflicted

[1] *Ibid.* pp. 95, 96, 97.

were any disaster to deprive mankind of the benefit of such a bulwark against the torrent which has for some time been bearing down all before it. But her power and prowess by sea seem to render everything safe in the end. Peace is our passion....We prefer trying *every* other just principle, right, and safety before we would recur to war."[1]. But Wilson was not too proud to fight in 1917. America, he had said in the same address, "was created to unite mankind"; he also spoke of "the great ideals which have made America the hope of the world," and he gradually realized that that hope could not be fulfilled by isolation. "We are provincials no longer," he cried in his second Inaugural on 5 March, 1917, when he had broken off relations with Germany[2]; and it was neither as nationalists nor as imperialists that the United States declared war in the following month. The President's mind began to dwell more and more on citizens of the world, a community of power, and a commonwealth of nations. "I do not know," he had said on Independence Day, 1914, "that there will ever be a declaration of independence and of grievances for mankind, but I believe that if any such document is ever drawn it will be drawn in the spirit of the American Declaration of Independence."[3] The wheel had come round full circle; the

[1] Jefferson, *Works*, iv. 490.
[2] Wilson, *Messages, etc.* ed. J. B. Scott, p. 270.
[3] *Ibid.* p. 65.

official representative of the United States spoke in 1914 in terms reminiscent of the philosophy of humanity and the solidarity of man, and appeared in 1919 as another "Speaker of the human race" to advocate a League of Nations.

For the moment the "idea of national service to the world"[1] and the idealism of the United States had raised its President to an eminence no man had ever reached before. The sacrifice of the lesser loyalties of nationalism, isolation, and individualism, gave the United States the decisive voice in the war of the world. But the mood passed, and the moment. The American army went home, the lesser loyalties revived, and resentment found voice against the restrictions of individual liberty which a war of liberation had temporarily involved. The asylum for mankind began to bar its doors against the world and to imitate the hermit kingdom of Korea. Hundred-per-cent. Americans, like other aristocracies, bethought themselves of the need for preserving the type and of the virtues of breeding-in. Faith in the solidarity of mankind gave place to belief in a chosen people, elected of itself, to fear of European entanglements, and to a natural distaste for imported cheap labour and diluted standards of civilization. The catholic reverted to protestantism, and doubtful of his ability to reform an imperfect world by an im-

[1] Baker, *op. cit.* 1923, I. 265. Cf. J. H. Latané, *From Isolation to Leadership*, 1918.

perfect League of Nations, relapsed into the schism of Monroe and national self-sufficiency. Patriotism was enough. American criticism of the Peace Treaty was directed less against the injustice of its terms than against the idealistic aspirations of the Covenant[1]: and a lingering pride in isolation postponed a decisive American vote in the reconstruction of Europe. The United States would not sacrifice quite enough to make its influence supreme.

For that reaction there were many reasons, some of them irrelevant to the principle at issue. Ever since the Civil War the Democratic Party had normally been in a minority. Cleveland alone had broken the Republican spell before Wilson was elected in 1912; and Wilson owed his victory to the Roosevelt-Taft split in the rival ranks. He secured re-election in 1916 by the narrowest of majorities and owing to the circumstance of war. His intervention in 1917 had cost him the German and the Irish vote, while his appeal for a party triumph in 1918 deprived him of any possible Republican recruits. A third successive term of Democratic power would have been almost inconceivable in any case; and the election of 1920 was not an exhaustive or final expression of the American mind with regard to international idealism and national service to the world. The reaction, great as it seemed at the moment,

[1] Baker, *op. cit.* 1923, II. 104, 332–4.

was insignificant compared with the momentous impulse and inspiration which sent two million American troops across the Atlantic Ocean to bridge the gulf between the old world and the new, and to heal the schism of mankind. It is the first step which costs, and no people in the history of the world has taken a first step of such gigantic magnitude. The second would not cost a similar mental effort even though it were as great a stride.

Anglo-Saxon peoples have their moods, and they habitually change their governments at general elections; but it is not their habit, having once begun to develop, permanently to turn back upon their growth. Nothing has altered the truth of President Wilson's words, spoken nearly a year before the United States entered the war: "We are participants, whether we would or not, in the life of the world. The interests of all nations are ours also. We are partners with the rest. What affects mankind is inevitably our affair as well as the affair of the nations of Europe and of Asia."[1] And nothing has made impossible his earlier "dream that as the years go on . . . America will come into the full light of day when we shall all know that she puts human rights above all other rights and that her flag is the flag not only of America but of humanity."[2]

[1] *Messages, Addresses, etc.* ed. J. B. Scott, p. 190.
[2] *Ibid.* p. 65.

CHAPTER VII

Reconciliation

ENGLISH students of American conservatism, nationalism, and imperialism, will often recognize with pleasure or with pain a striking family resemblance between these phenomena and similar manifestations in their own history; and they may even fancy that many ideas, which are sometimes claimed as American, had an English ancestry, if not an English origin, and played no small part in English history. The fancy is sometimes turned to wonder, as when they are told by the editor of Mr Page's *Letters* that a letter from Colonel House to the ambassador, written on 27 March, 1915, "contains the first reference on record" to the freedom of the seas[1], and recollect that it was Queen Elizabeth's boast to have made the seas free for all men, and that the racial heterogeneity of the United States itself is due to the freedom of migration into American waters which England secured by breaking the monopoly claimed by Spain. The establishment of

[1] Ed. Hendrik, I. 434. In 1856 the Democratic platform declared: "the time has come for the people of the United States to declare themselves in favour of free seas and progressive free trade throughout the world" (Rhodes, *Hist. U.S.A.* III. 40–1).

the freedom of the seas was the first condition for any co-operation across the Atlantic; and one of the latest and most promising forms of Anglo-American fellowship is an equal partnership in the maintenance of that liberty throughout the world.

Even co-operation is, however, liable to suspicion, and a recent municipal document in New York charged the whole category of Anglo-American efforts towards mutual understanding—including the Sulgrave Institution and this Watson Chair—with being parts of a vast conspiracy to bring the United States once more under British dominion[1]. Understanding itself is a word of ambiguous meaning; and, while the purpose of these lectures is to promote a better understanding of American history, no historian could consider it his business to promote a better understanding between two governments or two peoples. He remembers Lord Acton's insistent injunction to historians that they should "avoid the service of a cause"[2]; and, if he talks about re-

[1] J. T. Adams in the *Atlantic Monthly*, Sept. 1923, pp. 308–9. Charges of this kind are no novelty in American history. In 1801 a prominent Republican wrote to Jefferson that the Federalist party "is now almost universally considered as having been employed, in conjunction with Great Britain, in a scheme for the total destruction of the liberties of the people" (Henry Adams, *Hist.* i. 285).

[2] In his editorial injunctions to contributors to the *Cambridge Modern History*; cf. his *Lectures on Modern History*, 1906, p. xviii.

conciliation, it is not to advocate the bringing together of the United States and Great Britain in any particular council—not even that of the League of Nations—but merely to illustrate from the course of their history the causes and the growth of their habit of taking counsel together and adopting similar recommendations. British Dominions themselves have as yet formed no Imperial Council, though they take counsel together with some regularity; and, if the difference between council and counsel marks the limits of constitutional co-operation between British Dominions, there is little advantage in thinking of any more stereotyped methods of co-operation between the United States and British Dominions than those of conference and concerted action.

The less official the method, the more fruitful the results; and unofficial representation in the counsels of Europe has been an interesting and ingenious expedient of recent American diplomacy. For the sovereign State is stiff and stern, and friction is readily generated in its relations with its equally forbidding fellows. The ultimate authority should rarely be the first to feel the way, and American diplomacy might have done better at Paris in the hands of representatives less august than the President of the United States. In any case, co-operation is not in a democratic age limited to the diplomatic intercourse

of governments, and an ironic practical comment on the theoretical omnicompetence of the State is the number of things it wisely and inevitably leaves to other agencies[1]. A survey of Anglo-American co-operation would extend to every sphere of intellectual activity, and participation in it has become almost a part of the normal duties of university professors on both sides of the Atlantic. Conferences are the order of the day, and interchange of teachers and students grows apace. "We must," wrote Page in 1915[2], "get their lads into our universities, ours into theirs"; and half-a-dozen or more organizations have sprung into existence for the purpose. Lawyers cross the Atlantic now and again for international visits; historians have not only an annual conference, but a standing joint-committee which meets once a quarter, and a weekly gathering at the Institute of Historical Research. Against a fanciful conspiracy of British gold must be set a real debt to Rockefeller foundations; and against the bogey of the Anglicization of the United States may be placed impassioned appeals to Britons not to Americanize their universities. Well, the State of Michigan endows its university with a biennial appropriation of fourteen million

[1] It is, however, a far cry to the contention that politics are dead (cf. William Kay Wallace, *The Passing of Politics*, 1924).

[2] *Letters*, II. 144.

dollars, about £1,600,000 a year; and the State of Michigan has a smaller population than that of London which endows its university with less than a sixteenth of that amount. There are American precedents against which British universities can hardly be expected to protest. That which a nation really has at heart comes not so much out of its mouth as out of its pocket; and faith in university education is a matter in which approximation is rather due from England to the United States than in the other direction[1].

In other spheres the approach has been mutual, and patriotic outcries have been raised against Anglicization in America and Americanization in England. Both protests are the outcome of an exaggerated alarm and an inaccurate analysis. The approximation has not been due to British gold or American dollars, nor, indeed, to any other British influence upon America or American influence on Great Britain. The effective influence has been that of similar conditions upon a common human nature and a joint

[1] The total amount of fresh private benefactions to American universities is now between 50 and 100 million dollars a year; and there are said to be more graduate students in American, than undergraduate students in British, universities. The intellectual standard may be lower, but that is a question on which those who have had the largest experience of American and British universities will be the slowest to dogmatize.

political inheritance. It was the force of circumstances and not the infection of British nationalism, which converted citizens of the world into hundred-per-cent. Americans; made nationality as vigorous a sentiment on one, as it had ever been on the other, side of the Atlantic; and constrained Americans in 1861 to adopt the principle that their Union, like the English Commonwealth in 1649 and the French Republic in 1793, was one and indivisible. It was the accident of war with Spain, and not the light of British example, which led the United States into its conscious phase of imperialism in 1898 and involved it in the problems of exercising overseas powers which, whether just or not, were not derived from the consent of the governed.

Finding themselves in similar situations, the two peoples have behaved in much the same way. Congress assumed the same relation to American dependencies as George III had done to British colonies. Territories were treated "as being under the sole control of Congress, even though this resulted in their being taxed according to the mere will of a legislative body in which they were not represented"; and "the principles of the British Empire were applied to America, with some indefinite modifications." Whatever imitation there was arose from the facts that the British was the older empire, and that the younger realized that its problems could not be

solved "by despising the experience of other nations, but by studying it and daring to follow their example where they have succeeded." To achieve success Americans must not "blindly worship the Constitution of the United States," but "apply themselves to the task of patiently evolving the unwritten Constitution of the American Federal Empire."[1]

Recourse to an unwritten American constitution involved an approach to the British point of view as striking as the sympathetic approximation created by the circumstance that American troops were hunting Aguinaldo in the Philippines while British troops were hunting De Wet in South Africa; and President Roosevelt was almost, if not quite, as popular a figure in the British Empire as in the United States. Both were intent, for the moment, rather on popular sovereignty than on the rights of man, and political ideas crossed and re-crossed the Atlantic with the facile infection of fashions in music, dress, and dance. If Roosevelt was loudly Anglo-Saxon in his imperialism, Wilson was supposed to be quietly moving in a British direction in domestic affairs by seeking to develop Cabinet solidarity and to secure Parliamentary leadership for the President's office. His successor followed the same line and invited the Vice-President, who had hitherto only presided over

[1] Alpheus H. Snow, *The Administration of Dependencies*, 1902, pp. 545, 562, 593, 604.

the Senate, to attend Cabinet meetings; and the Republican Convention of 1924 was "ridden by the President and his Cabinet. Such an array of Cabinet members was never before seen at a party convention, consulting, arranging, deciding."[1] The trend of democracy towards strong and centralized government has been reflected on both sides of the Atlantic in the growth of Presidential and Prime Ministerial authority. The withdrawal of recent British Prime Ministers from the leadership of the House of Commons was a step towards a Presidential position, while the growth of the President's control over foreign affairs aroused some suspicion in the United States[2]. At the same time the Presidency tends to lose its personal, monarchical, character and to become a commission or group; and we hear a good deal more about his "cabinet" than used to be the case[3].

[1] Edward G. Lowry in the London *Times*, 14 July, 1924. The attendance of the Vice-President at Cabinet meetings was, however, abandoned after the election of 1924; and President Coolidge has also intimated his intention of reverting to the practice of sending his Addresses to Congress instead of speaking them.

[2] See E. S. Corwin, *The President's Control over Foreign Relations*, 1917.

[3] President Harding "wished to show that his Administration would not be a 'one-man' government" (*New York Times*, 27 Nov. 1924). The word "cabinet" is not mentioned in the Constitution and first appears in an act of Congress in 1907 (R. L. Schuyler, *Const. U.S.A.* p. 173).

There have been at least as significant approaches on the British as on the American side, and the history of British party organization shows many borrowings and adaptations from the United States. Some, like the caucus, have long been acclimatized: others, like the referendum, if not the initiative, are in the debateable stage; and British conservatives would gladly see a Second Chamber as potent as the Senate of the Union. One fundamental approximation has certainly come to stay. The principle of the separation of constitutional powers has been regarded as vital to the American Constitution, though the complete severance of the judicature from the legislature was not adopted in 1787 without considerable discussion. In Great Britain the two functions seemed then firmly united in the House of Lords, and no statute has altered the situation. But a constitutional convention, growing up in the middle of the nineteenth century, has made an effective discrimination. No peer can now participate in the judicial proceedings of the House of Lords in virtue of an hereditary title; he must hold or have held high judicial office under the Crown, and the Supreme Court of Appeal in the United Kingdom is as expert a body as the Supreme Court of the United States. It is almost as distinct from the House of Lords as the Cabinet is from the House of Commons, and the change marks an important British approximation to the American point

of view with regard to the specialization of functions if not to the separation of powers.

In some spheres of political thought, such as the dominance of nationality and the sovereignty of the State, the two peoples have advanced so far towards each other as almost to have exchanged their positions[1], and this is agreeably characteristic of historical science. For nearly a century after the Declaration of Independence English historiography was unjust to America, and American to Great Britain. Combatants always are. But now historians no longer write of the War of Independence as though they were camp-followers in the armies of George III and Washington or pamphleteers in a political contest. Some have perhaps learnt to walk so uprightly in the path of historical impartiality that, like the Irishman's colonel, they have leant a little backwards; and something more than justice has sometimes been done by American historians to the merits of George III and his ministers and by English historians to the case of the American revolutionists. But even this error and straying shows that the bars of national pride and prejudice which separated the two peoples have been removed from the field of historical research. For a hundred years similar barriers have

[1] Britons are, or were in 1924, nearer, in spite of their insularity, to the Revolutionary psychology of the citizen of the world than are continental Americans.

been falling in the more extended and exalted sphere of Anglo-American political relations; and the main object of this chapter is to show how the removal of bars on one side inevitably led to the removal of bars on the other, not merely to the infinite gain of both nations but to the general advantage of the world.

The process began at once with the recognition of American independence. Prudence as well as propriety prohibit approval of the cynical witticism, which is said to come from across the Atlantic, to the effect that divorce is the first step towards mutual understanding between husband and wife. But there is no doubt that the recognition of self-government promotes better feeling between peoples chafing under the bonds of union. Union may be the higher ideal and the better plan, but unless it is heartfelt and equal it is a precarious basis of happiness and prosperity; and real union between Great Britain and her American colonies was impossible on the basis of the sovereignty of Parliament, whether or not the colonists were represented there. The American colonies broke away on that issue, and the Dominions have only been retained by a tacit dispensation from the bond. An American loyalist[1], writing in 1774, had sought to reconcile the colonists to that sovereignty by depicting the colonies in some

[1] "Massachusettensis," *i.e.* Judge Daniel Leonard, quoted in Morison, *Documents*, p. 136.

future age "so far increased as to have the balance of wealth, numbers, and power in their favour; the good of the empire may make it necessary to fix the seat of government here: and some future George, equally the friend of mankind with him that now sways the British sceptre, may cross the Atlantic and rule Great Britain by an American parliament." John Adams retorted that in that case Great Britain would infallibly resist by force of arms, and it is impossible to conceive of any single legislature exercising sovereignty over both the British Empire and the United States. It is conceivable that schism might have been avoided had the Parliaments and ministers of George III possessed the wisdom of their nineteenth and twentieth century successors; and American historians have contended that Great Britain has now given her Dominions everything for which the American colonists asked a hundred and fifty years ago[1]. It is even argued that "Imperial federation, not independency or democracy, was in Jefferson's mind," when in 1774 he wrote his *Summary View of the Rights of British America*[2]. But wisdom is the product of experience, and the experience which produced the wisdom of to-day was not at the beck of George III.

[1] Randolph G. Adams, *Pol. Ideas*, pp. 61, 63.

[2] *Works*, ed. Ford, I. 427; Channing, *Hist. U.S.A.* III. 142–5, 183, 445–6; McIlwain, *op. cit.* p. 142.

Independence, however, had no sooner been conceded in 1783 than British and American diplomats began to work together against France and Spain in order to retain for Anglo-Saxon peoples the great Northwest which the Latin nations had lost in 1763 and hoped to recover in part by the later treaty of peace; and within twenty years Jefferson, who had penned the Declaration of Independence, was writing to his minister in Paris, "the day that France takes possession of New Orleans . . . seals the union of two nations, who in conjunction can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation."[1]

A second breach came, nevertheless, in the war of 1812–14, but it was not entirely due to the bungling of statesmen. There was a fundamental principle upon which the new and the old worlds differed, the conflicting claims of the individual and the community into which he was born. It was a maxim of old-world States that no one could repudiate his allegiance or his country. James Wilson himself had admitted, or rather had emphasized, the indefeasible nature of allegiance, and as late as 1842 Lord Aberdeen refused to compromise "the indefeasible right inherent in the British Crown to command the allegiance and services of its subjects

[1] Jefferson to Livingstone, 18 April, 1802 (*Works*, IV. 431).

wherever found."[1] Yet on that principle there could be no American nationality. That was one of the reasons why John Adams was so bent upon recourse to the law of nature; it was a logical necessity as well as a tactical expedient. Nature was popular and not scientific in the eighteenth century, and any appeal to its law was sure of a response. There was no other escape from allegiance except through a natural right to "life, liberty, and the pursuit of happiness"; and this doctrine of individual self-determination was adopted to protect the "asylum for mankind" against the claims of old-world kings, creditors, and retailers of the statute law[2]. America was the promised land and Americans the chosen people, refugees from bondage, and protestants against authoritative obligations. The law of nature had rebelled against the laws of nations[3]. "An American," wrote the French Minister[4] to the United States in 1796, "is the born enemy of all European peoples."

But the strain between the United Kingdom and the United States was the greatest because their con-

[1] Morison, *Documents*, p. 114; *Cambridge History of Foreign Policy*, II. 250–1.

[2] Cf. the account (quoted in Egerton, *Amer. Revolution*, p. 171) of the tarring and feathering of Judge James Smith, a "villainous retailer of the law."

[3] Cf. above, p. 20 *n.*, "cum ab initio omnes homines *natura* liberos creavit, et postea *jus gentium* quosdam sub jugo servitutis constituit."

[4] M. Adet, quoted in F. J Turner, *The Frontier*, pref.

tact was the closest. Most of the protestants came from Great Britain, and long before Independence there had been friction over the escape of deserters from British ships and refugees from British law to the haven of colonial immunity where prosecution ceased from troubling and the fugitive was at rest. The friction reached its height in the stress of the Napoleonic wars when Great Britain used its command of the sea to assert a right to search all American vessels for deserters. "Desertion," writes Henry Adams, "received no discouragement from the United States government; on the contrary, deserters known to be such were received at once into the national service and their surrender refused."[1] Virginia even enacted a law imposing the death penalty on American officials who carried out surrenders to which the United States had pledged themselves by Jay's Treaty[2].

There were other causes of war in 1812. When the insurgent colonies adopted the style of the United States of America, they had all America in their mind, and their treaty with France in 1778 "shows, beyond a doubt, that the American Union intended to reduce to its possession by conquest, and to hold permanently, all those parts of the American continent external to the Union, when these belonged to Great

[1] *Hist. U.S.A.* ii. 346.
[2] *Ibid.* ii. 334, 345.

Britain, and also the Island of Bermuda, as dependencies of the Union, or to incorporate these regions, as States, into the Union, according to its discretion."[1] Specific mention was made, in its instructions to its commissioners in France, of the Canadian provinces, and Benjamin Franklin even hoped to include Ireland in the Confederation[2]. The idea was that they would all, if they had the chance, rightly struggle to be free under the new dispensation: and here again the principle of self-determination for mankind came into conflict with the old idea of inherited allegiance to particular States.

Nevertheless, there was a hopeful moral in the ambiguous terms of peace which concluded the war. Neither of these two objects—the abolition of the right of search and the self-determination of Canada —was achieved by fighting; both were achieved later on by sounder and more peaceful methods which improved, instead of embittering, the relations between the two Powers. In 1858 the British government frankly abandoned all claim to the right of search in time of peace, Lord Chancellor Lyndhurst going so far as to say that "we have surrendered no

[1] Snow, *Administration of Dependencies*, p. 374.

[2] *Ibid.* pp. 350–1. Cf. John Adams, *Works*, IV. 165: Ireland "is to this day so greatly injured and oppressed that I wonder American committees of correspondence and congresses have not attended more to it than they have Perhaps in some future time they may."

right at all, for no such right as that contended for ever existed. We have abandoned the assumption of a right, and in doing so, we have acted justly, prudently, and wisely."[1] The prudence and wisdom were made manifest when in November, 1861, an American vessel searched the British mail-ship *Trent*, seized the Confederate envoys Mason and Slidell, and nearly precipitated war. Lincoln resisted the popular clamour: "we must," he said, "stick to American principles concerning the rights of neutrals."[2] But it was the British admission of those American principles that had made it impossible for America to reject them.

The surrender of what Aberdeen had so recently called an "indefeasible right inherent in the British Crown" removed one of the principal bars to Anglo-American reconciliation. The removal was made complete by the formal and mutual recognition of the right of self-expatriation. In 1868 Congress corrected the tendency of the courts towards the doctrine of indefeasible American allegiance by adding the right of expatriation to those of life, liberty, and the pursuit of happiness; and in 1870 the British Naturalization Act finally abandoned the old-world claim to perpetual allegiance[3]. The two

[1] *Cambridge History of Foreign Policy*, II. 282.
[2] A. B. Hart, *American Foreign Policy*, p. 44.
[3] J. H. Westlake in *Ency. Brit.* 11th ed. s.v. "Allegiance."

governments had now come to think alike on a fundamental point of international law.

The next, and a greater, step towards mutual understanding was the abolition of negro slavery. Slavery was not, of course, abolished as a concession to anything but American conscience. Nevertheless its abolition removed a fruitful cause of international friction due to the conflict of laws. By English law a slave was free as soon as he stepped on English territory, the deck of an English ship, for instance; by American law the slave was still the property of its owner. Liberty according to one code was theft according to the other. Moreover, while the slave trade had been forbidden by the United States in 1808, it was impossible for American governments under southern influence to act up to the spirit of abolition: the slave trade remained free within the Union, the value of slaves was steadily rising, and with it the southern clamour for a resumption of the external traffic[1]. The American flag covered a vast amount of illicit trading in slaves, and denial of the right of search did more than anything else to frustrate the efforts made by European navies to suppress

[1] J. F. Rhodes, *Hist. U.S.A.* I. 417; II. 241, 367–72. But see note above, p. 171. The prohibition of slave importation by the Constitution of the Confederate States was probably designed to help the appeal they were making to English and French sympathies; and importation militated also against the interests of domestic breeders of slaves.

the evil. In the interests of slavery there must be "freedom of the seas" from the right to search the slaver.

Abraham Lincoln eradicated that ulcer from international relations. At last a really effective treaty for co-operation in suppressing the slave trade was concluded in 1862; and the President's proclamation of 1 January, 1863, abolishing slavery in the rebellious States, finally converted British democracy to sympathy with the cause of the North. This improvement was an asset badly needed to counteract the effects of the *Alabama's* depredations. The British government was not so much at fault as a section of its subjects. The individualistic philosophy of the age took insufficient account of the fact that some men, if left to themselves, will do wrong rather than right, and will be indifferent to the damage they do to the honour of their country and to the interests of the community, provided they do it with profit to themselves. The Foreign Enlistment Act of 1819 had prohibited the equipment of ships of war in British ports for a foreign Power engaged in a war in which Great Britain was neutral. Unarmed blockade runners were in a different category, and the *Alabama* was not armed or equipped for war when she left the Mersey on 29 July, 1862. But in the Azores she received arms and equipment from a British vessel loaded in the Thames; a large proportion of her sailors were British, and she was welcomed in colonial ports. The British government was remiss,

the law was lax, and a chapter of accidents delayed the decision to detain the *Alabama* until a few hours too late. But the active cause of the evil, which cost the community £3,000,000 and involved it in risks compared with which that sum was a trifle, was covetous disloyalty to England backed by animus against the United States. Good was at length extracted from the jaws of evil by the more drastic Foreign Enlistment Act of 1870, the Washington Treaty of 1871, and what has been called "the greatest of all arbitrations" and "the most signal exhibition in their history of self-command" on the part of the British and American peoples. "Although," wrote Gladstone, "I may think the sentence was harsh in its extent, and unjust in its basis, I regard the fine imposed on this country as dust in the balance compared with the moral value of the example set when these two great nations...which are among the most fiery and the most jealous in the world with regard to anything that touches national honour, went in peace and concord before a judicial tribunal rather than resort to the arbitrament of the sword." It not merely averted war between the two Powers on whose co-operation the future peace of the world was largely to depend, but marked a definite turning-point in the history of civilization[1].

[1] Morley's *Life of Gladstone*, Bk VI. chap. ix; *A Historical Account of the Neutrality of Great Britain during the American Civil War*, 1870; J. E. B. Moore, *History and Digest of*

The magnitude of this conversion to the principle of arbitration is illustrated by the fact that in 1865 Russell had written: "I confess I think that paying twenty millions down would be far preferable to submitting the case to arbitration." But the surrender of British prejudice—and this was one of its virtues—involved an equal surrender on the part of American ambition. "Manifest Destiny" still haunted trans-Atlantic dreams, and the *Alabama* claims had been inflated with the idea of securing Canada in exchange. The settlement at Geneva disposed of that idea for the time; but its permanent disappearance was due to another British approximation to American ideas, the grant to the Dominion of Canada of that responsible self-government for which the American colonies had vainly asked in 1774. So long as Canada was governed by instructions from Downing Street, Americans could affect to believe that its people were denied a natural right of self-determination and were secretly cherishing the hope of receiving the boon by way of becoming States in the American Union. But the grant of Dominion self-government within the British Empire gave them greater autonomy than statehood within the American Union; and the doctrine of "Manifest Destiny" silently faded away. The later extension of the same principle to Ireland

International Arbitration to which the United States have been a Party, 1898, I. 629, etc.; *Charles Francis Adams*, by his son, 1900, pp. 394–7; *Cambridge History of Foreign Policy*, II 516–21.

eliminated another cause of friction from American politics. Sumner had represented the Fenian raids into Canada as being due to American-Irish irritation at the proximity of the British flag, and had suggested the cession of Canada as a remedy. A better cure than the cession of Canada, which did not want to be ceded, was found in 1922 in the grant to Ireland of the self-government it desired: and in 1924 Britons witnessed with satisfaction the novel prospect of an American Presidential election unruffled by attempts to twist the lion's tale in the hope of roping in the Irish vote.

Both the British Empire and the United States participated in, and profited by, the mutual surrender of imperialistic principle. Imperialism is, however, a delicate subject for international discussion, although there is abundance of common ground. In 1856 Disraeli protested against British jealousy of American expansion[1], and in 1857 Charles Mackay gave poetical expression to Disraeli's ideas when he recited at a banquet at Washington a ballad of his own entitled "John and Jonathan"[2]:

> Take you the West, and I the East
> We'll spread ourselves abroad
> With Trade and Spade and wholesome laws
> And faith in Man and God.

[1] *Hansard*, CXLII. 1509–13; *Cambridge History of Foreign Policy*, II. 277.

[2] E. D. Adams, *Ideals in American History*, p. 91; *Dict. Nat. Biogr* s.v. "Mackay, Charles."

Another of Mackay's ballads was "England over all," which was probably thought equivalent to the German *Deutschland über Alles* but is, in fact, a good deal more vainglorious. Neither the expansion of England nor that of the United States was achieved exclusively by peaceful diplomacy or self-defensive warfare; and the fact that both countries were, in Gladstone's words, among the most fiery and most jealous of their honour in the world, did not in itself tend to promote peace when the expansion of one came into contact with the expansion of the other. The division of spheres into East and West was rather a Disraelian touch, suggested perhaps by the recent achievements in India of Dalhousie "the great god of war"; but it did not help when the question related to Oregon and was one of "fifty-four forty, or fight."

The issues between Great Britain and the United States were, indeed, fraught with difficulties as great, and consequences as momentous, as any which ever provoked war between Anglo-Saxon and other peoples; and their avoidance of war by negotiation and arbitration was a novel and refreshing chapter in the history of international relations. It was only made possible by a progressive revision of what others, and they themselves, had meant by Empire and Imperialism. The full-blooded doctrine of Imperialism is, or was, that wealth and power depend

on industry, and industry on trade, that trade follows the flag, and the flag only goes or remains where armed force supports it; power is both the end and the means. The growth of industry required new markets, and markets could not be exploited unless they were controlled. That was the theory of the East India Company which created the British Empire in India. It was not the theory of the Pilgrim Fathers or of Botany Bay, nor even of the Plantations. There the prime considerations related to human beings rather than to trade. Men went to New England for the good of their souls; they were sent to Sydney for the good of their country, while the Plantations were mixed in their motives.

Generally emigrants had the idea of exploiting the soil and the natives; they had no idea of being exploited themselves by the people they left at home; and as soon as a theory of empire began to grow they began to protest. Independence or self-government gradually ruled out the Dominions from the sphere of imperial exploitation, restricting it to colonies which were not self-governing by reason of their inadequate white population. In them "empire" retained its dominant note; in the Dominions it was liberalized into partnership, tending to grow more equal; and there either the Empire ceased to be a State, or the State ceased to be sovereign. There was no imperial control over trade or markets; and, on

the old imperial theory, self-governing colonies lost their value and became "mill-stones round our neck." The command of the sea, established in order to enforce the old colonial system, remained to preserve communications within a British Commonwealth of Nations.

This dilution of imperialism within the empire tended to relax the tension outside. The relation of partnership and co-operation was more tolerable than that of sovereignty and subjection, and there was no reason why it should not be extended from nations within the empire to nations beyond its pale, when sovereignty had obviously ceased to be the bond of union. It became clear, at least, after the Great War that the command of the sea, heretofore a means of maintaining a British commonwealth, must be shared with the United States and become a means of maintaining a partnership wider than that of the British Empire[1]. The marriage of which Jefferson had written in 1802, took the form of an understanding on more equal terms at Washington in 1922. Five to five in capital ships was the formula then adopted; and, while no sane person would discourage the limitation of armaments, it is almost a pity that the ratio was not expressed in terms of six to six. For six of one and

[1] Cf. Admiral Benson's and other memoranda in R. S. Baker, *Woodrow Wilson and World Settlement*, I. 385; III. 199–211.

half-a-dozen of the other would have been far more symbolical of the history of the relations between the British Empire and the United States.

In America, too, there has been a considerable dilution of the imperialism expounded by Mr Olney; and his remark that "any permanent political union between a European and an American state was unnatural and inexpedient" has been tacitly ignored by common sense and common consent[1]. Its chief effect was to intensify the suspicion of South American States that the real intention of the Monroe Doctrine was to sever America from Europe in order that it might become subject to the sovereignty of the United States; and that shadow has always cast a blight upon well-intentioned efforts to promote Pan-American co-operation. "Pan-Americanism," writes an American historian, "is feebler in 1924 than it was in 1824....Apart from economic relations, there are to-day fewer points in common between the United States and Spanish America than between the United States and any European state situated north of the Pyrenees and west of the Ural Mountains."[2] The same might be said of South American States. All are members of the League of Nations, while the United States is not. Mr Olney's doctrine of

[1] See above, pp. 215–18, 250–1.

[2] Prof. S. E. Morison in *Revue des Sciences Politiques*, XLVII. 71. Cf. Warshaw, *The New Latin America*, 1922.

sovereignty proved almost as potent a solvent of Pan-American unity as the sovereignty of Parliament was of the unity of the British Empire under George III. It is an ironic circumstance that his *obiter dicta* should have occurred in a despatch indited to further that principle of arbitration which has been as great a boon as sovereignty has been a bane to goodwill and peace among nations.

For throughout Anglo-American history an increasing purpose runs to avert the conflict of sovereign wills and to find a basis of common consent to a common law, a law that is nobody's fiat but is written in the heart of man[1] and is the stable foundation of counsel taken together. The reconciliation goes back to the original breach and touches a fundamental issue of all time. The idea of a common law is almost as old as the hills, and the problem from the days of the Roman Empire to those of the League of Nations has been to base it on common consent. Common consent was the rock on which Parliament was built, and the strength it derived therefrom betrayed it into a superstition of sovereignty which it sought to impose as a creed on its colonies. America made an effective protest in 1776, but it, too, went astray in time; and growing strength, based on increasing territory and population, enticed it into claims to sovereignty over a continent and assertions that its

[1] St Paul, *Romans*, ii. 15.

command was law. And still we waver between our respective imperialisms and mankind. Some of us think that our own particular empire is self-sufficient and all that we need or can have. Others put their faith in the joint-stock of an Anglo-Saxon world and in the fervour of at-one-ment for the breach of 1776, and see in the strength of that reconciliation a means for giving a law to the gentiles. Others again, remembering the rock on which our fortunes split in the past, strive to recollect that a law which is imposed is against that nature of man on which the American colonies took their stand at the parting of the ways.

That breach has been healed. George Washington is almost as much a hero of the British, as of the American, people; and Independence Day is observed in London not as the disruption of an empire but as the foundation of an accord. The merit of that accord does not consist in its limitations. When a means of accord was found between the provinces of Upper and Lower Canada, it was found in a federation which embraced the whole Dominion; and the ultimate stage in the reconciliation of Great Britain and the United States was reached in a world-wide movement towards a commonwealth of nations based on common ideals and a common law. Deep called unto deep in the abyss of war, and the appeal was not to what was distinctive of nationality but to what was

common to mankind. The British Empire and the United States had to scale higher peaks than those of nationalism and imperialism before they could hope to make humanity whole.

They would not have climbed so high as they did, had they not come together and risen side by side. On 24 Oct. 1823, Jefferson wrote of Canning's suggestions to Monroe[1]: "By acceding to England's proposition, we detach her from the band of despots, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke.... With her on our side we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would more tend to knit our affections than to be fighting once more, side by side, in the same cause." A hundred years have passed, and we have fought side by side in a common cause. "No two countries upon earth," Jefferson had written in 1806[2], "have so many points of common interest and friendship; and their rulers must be great bunglers indeed if, with such dispositions, they break them asunder."

The quality of statesmanship is, however, sometimes strained; and the greatest of English historians

[1] Jefferson, *Works*, x. 277, loosely translated with some omissions in *Revue des Sciences Politiques*, XLVII. 74.

[2] *Works*, IV. 12, cited in Henry Adams, *Hist. U.S.A.* III. 404.

has recorded his impression that "history is little more than the register of the crimes, the follies, and misfortunes of mankind."[1] But Gibbon was dealing with a corrupt and decadent Roman Empire, while we have been regarding the rise and the relations of the English-speaking nations; and the survey of a hundred years of peace, co-operation, and self-sacrifice is less suggestive of the crimes, the follies, and misfortunes of mankind than of the common-sense and self-control of peoples and the vision and the wisdom of their rulers. And if we seek for monuments of that atonement and achievement, we may find them in the daily record of visits, conferences, and interchange in almost all the spheres of intellectual and political activity. Here, in this college, we need only look around to see Carnegie gifts to learning, and American munificence wedded to British medical science for the common good of the human race, or, just beyond these walls, to the Institute of Historical Research—itself a monument of co-operation—where, among other notable benefactions, is a gift of a thousand volumes from the widow of an American historian[2]—in whose veins, by the bye, there flowed not a drop of British blood—presented, as an inscription records, "for the furtherance of a better understanding among the English-

[1] Gibbon, *Decline and Fall*, cap. iii (I. 72 in "Chandos Classics").

[2] George Louis Beer.

speaking peoples through the study of a common past."

For the past is what tells in the future, and what men will do hereafter depends upon what they have done heretofore. The treaty that is made and the covenant that is signed are well enough in their way. But they count for less than the habit of minds and behaviour of men. Some peoples are better than their word, and some are a great deal worse. There were once two sons, one of whom said "I go" and went not, and the other "I go not" but went; and, if we seek for signs and portents of what English-speaking peoples will do in the future, we shall find them in their history, in the pacific settlement of disputes, in the practice of arbitration, and in joint efforts for the limitation of armaments, the reconstruction of Europe, and the reconciliation of mankind.

CHAPTER VIII[1]

The Value of American History

WHEN Lord Acton delivered his inaugural lecture as Regius Professor of Modern History in the University of Cambridge, he delighted his hearers by addressing them as fellow-students; the modesty of the lecturer was flattering to the audience. But if I were to address a British audience as fellow-students of American history, it would, I fear, be flattery of both. I cannot myself claim to be more than a casual student of American history, and nothing would have induced me to address an Oxford audience on that subject, more particularly since Oxford, alone of British universities, has its own Professor of American History, had it not been for the pressing invitation of that professor himself. I do not accuse Prof. Morison of a design to exhibit my ignorance as a foil to his mastery of the subject; but I do suspect that my inexpertness had something to do with his invitation. Impressed perhaps by our national distrust of the expert, and by our habit of

[1] Delivered on 31 May in the Examination Schools, Oxford, at the invitation of Mr S. E. Morison, Professor of American History in the University.

discounting testimony by the vendor to the value of his wares, he has called in an impartial and independent witness—independent at least to the extent of not depending for livelihood on an inadequate knowledge of American history, and impartial to the degree of not having hitherto shown any special partiality for that branch of historical study. I hope that there is reason in that argument for this particular experiment in Anglo-American co-operation, and that a few words from an Englishman on the value of American history may help an American professor in attempting to fill the most serious gap in British historical education.

There is no need to hover over that hiatus; it yawns less widely now in Oxford than in most British universities. There have been reasons, good and bad but chiefly bad, for ignoring the history of the larger part of the English-speaking world. History, it used to be thought, related only to what was dead; it must always stop short of the living present; and for long it halted at 1815 because Waterloo was the verge of the memory of living man. American, as distinct from colonial, history had hardly then begun, and its early years coincided with a generation of Englishmen whose energies and attention were absorbed by a great European conflict. History since 1815 was mere politics; time had not purified men's passions nor sanctified their accomplished facts. Historians,

especially if they claimed to be men of science, must wait, it was felt, till the period of quarantine had elapsed, before they could venture to touch without risk of infection the contaminated present.

To this conservative argument it may be replied that the difference between history and politics is not a matter of time but of temper. Historians have been known to get as heated in argument over the battle of Hastings and the Red Book of the Exchequer as politicians over socialism or tariff reform; and the Reformation makes rifts in the lute of historical harmony which produce discords as deep as any political quarrel. A more natural cause of indifference to the history of the United States is the remoteness of America; and we are logical in this indifference, at least to the extent of knowing little more about the history of British Dominions overseas than about that of North or South America. We should, however, remember that we are as far from the Antipodes as they are from us, that there is no fixed hub of the universe, and that distance from ourselves does not involve remoteness from humanity.

A more colourable excuse, though hardly a justification, for the past neglect of American history was the form in which it was presented by American historians. A French man of letters, travelling in the United States in 1851, noted that it was a mortification to Americans to be unable to believe

that America was discovered by an American[1]. But vanity is not a peculiarity of American nationality in its youth. At the end of the fifteenth century an Italian visitor to England remarked that the English appeared to think there was no other country but their own, and an English envoy in Spain made a similar observation on the Spaniards[2]. The attitude is not conducive to scientific historiography, and neither the English nor the Spanish writing of history during that period ranks very high as scholarship or as literature. Earth's vigorous, primitive son is apt to speak as a child, to think as a child, and to write as a child; and scientific history is strong meat for the immature. Historical composition first takes the form of legend and creates heroes, who are almost superhuman and work miracles of valour against foes who are giants of iniquity and yet are contemptible opponents. Mankind reverts to this original type in time of war when no one but an enemy commits an atrocity and only a friend can tell the truth. American school-books are still denounced by American patriots for crediting British troops with bravery at Bunker Hill, and American conservatism is, perhaps, more attached to

[1] Jean Jacques Ampère, quoted in Rhodes, III. 83.

[2] See my *Reign of Henry VII*, II. 225, "they think there are no other men than themselves, and no other world but England"; and *ibid.* III. 81, "they think there is no land but Spain."

the patriotic blinkers and the war-spectacles of the revolution of 1776 than to those of the war of 1917.

It was natural enough for Americans to regard that revolutionary period as the heroic age of the United States. Shakespeare's English history is no less patriotic for a similar reason; but the drama has less affinity than history with politics, and American historiography was often a laboured demonstration of a partial and a party truth. "One lived," says Henry Adams of Boston as late as 1850, "in the atmosphere of the Stamp Act, the Tea Tax, and the Boston Massacre."[1] Nationalism had to assert itself and justify its existence before philosophy and science could be admitted to scrutinize its claims; and the counterpart of the Monroe Doctrine was intellectual isolation from Europe and indifference to the past of the old world[2]. But when the United States had not only secured its place in the sun but was conscious that its place was recognized and even envied by other nations, the need for self-assertion passed away, and propaganda in the guise of history was succeeded by science in the search of truth.

A half-way house to impartiality was found in the history of other republics than the American which had waged successful wars of independence, and

[1] *The Education of Henry Adams*, p. 43.

[2] Americans rarely visited Europe before 1850; they felt that "Europe unfitted Americans for America" (*ibid.* p. 70).

Motley's volumes on the Dutch Republic and the United Netherlands, while they are certainly not impartial as between Dutch and Spaniards, Protestant and Catholic, are not so narrowly didactic as Bancroft's history of man made perfect in the United States. Francis Parkman, however, ushered in the age of enlightenment in American historiography, and his *France and England in the New World* reached a level which has not yet been surpassed by his successors. Its superiority to nationalistic self-assertion may not be unconnected with the fact that the first volume appeared in 1865, when the population of the United States had outstripped that of the United Kingdom, and Abraham Lincoln had demonstrated beyond a peradventure that American government of the people, for the people, by the people, should not perish from the earth.

The Civil War was followed by a materialistic reaction in which, as Parkman himself lamented[1], "educated tastes were completely outridden by uneducated or half-educated tastes." But the end of the nineteenth century saw the beginning of a revival of historical intelligence which spread wider and went deeper than it had penetrated before, and produced an output of American historical literature which

[1] New York *Nation*, 23 Dec. 1869; Pollak, *Idealism*, pp. 245–53; cf. also the concluding paragraph in Parkman's *Montcalm and Wolfe*.

easily bears comparison with that of older peoples. The humility of the scholar supplanted the assertiveness of the patriot; and there was something almost pathetic in the patience with which American historians, who travelled seven thousand miles to London in search of their materials, listened to Freeman as he explained[1] "how little some men, even in the chair of the teacher, have grasped the nature of the material for historic study," and how he had "never in my life made use of the British Museum library, and not very often of the Bodleian"—the Public Record Office not even receiving a mention. "All this," continued Freeman, "seemed altogether a new light" to American historians. Fortunately it was not a light which they followed, and in their science even less than in their art do they need instruction from superior persons. Self-criticism and modesty are now at least as conspicuous in American as in British historiography.

Neither in the grand style nor in minute research is their work to be contemned. There may not have been a Stubbs or a Maitland; but Parkman is not unworthy of comparison with Froude, Henry Adams with Lecky, and John Fiske with S. R. Gardiner. Reading little American history by Americans, we are driven to judging them by their achievements in

[1] E. A. Freeman, *Some Impressions of the United States*, 1883, pp. 184–5.

English and European fields, though English historical scholarship would hardly care to be judged by its contributions to American historiography. Even so, for a history of the Inquisition we have to go to H. C. Lea, and for that of the influence of sea-power to Mahan. In special aspects of mediaeval and English constitutional history not many have done better work of late than Haskins, Baldwin, McIlwain, and Notestein; nothing written in England on the history of her American colonies quite compares with the work of Osgood, Alvord, J. T. Adams, and G. L. Beer; and few more suggestive historical essays have been written than F. J. Turner's on *The Frontier* and Carl Becker's on *The Declaration of Independence*. The list is likely to be more invidious than exhaustive, and still more indicative of the compiler's imperfect reading. But the most casual survey of American historiography is enough to reveal a revolution in its standards, and to destroy any plea against the study of American history urged upon the ground that it has not been written as history should.

It was never a valid plea; and the proper deduction from the premise, if true, that Americans could not write their own history would have been that English scholars should teach them how to do it, instead of themselves treating American history as a stick with which to beat domestic Whigs or Tories[1]. The effort

[1] H. E. Egerton, *The American Revolution*, 1923, pref. p. vi.

was not seriously made, apparently on the assumption that the history of the United States either was not worth writing or was of no interest to a British public. It is a little ignominious for historians to be indifferent to the importance of the history of a country until that country has intervened with decisive effect on the field of battle or in the parliament of man. For the merest journalist can see its importance then, and one of the pleas for study of the past is that it sharpens sight into the future; just as one cannot see deep into blue water while one is on the surface, but can discover submarines below from aeroplanes above. But even the conclusive demonstration of the power and wealth of the United States in the Great War has failed to carry conviction in the educational importance of its history very far. Refuge is taken in the plea that size, wealth, and power are no criteria of value: better fifty years of Europe than a cycle of Cathay; and a hundred thousand ancient Athenians have provided more material for history than a hundred million citizens of the United States.

There is much in the argument for a classical education, but we are here in Oxford concerned with a school of modern history marked by an increasing vogue of the nineteenth century. It would be more seemly and more pointed to argue the matter as between ancient Athens and modern England, instead of first using the classical argument to exclude

America and then using the modernist argument to include our modern selves. If our world of study is Modern History or Modern "Greats," we are as schismatic as President Monroe in shutting out the other hemisphere. Nor must we confuse historical with moral, spiritual, or religious values. History deals with what happened and what was, and we cannot ignore any part of the past merely because it appears to us to have no moral value. For one thing, it is not the historian's business to argue the value of rival theological, political, or social systems but to show men as they were and how they lived. For another, values are always changing; and one age labours to recover truth which another rejected as refuse. Ignorance and remoteness have something to do with the scorn for even the cycle of Cathay; and anthropology and archaeology are striving to re-collect a history which men did not trouble to write. In their confessed inability to determine present, let alone future, values, some historians take refuge in a belief that all facts are of equal importance. It is as much a confession of intellectual bankruptcy as the modern assumption of the equality of men or the incapacity of primitive jurisprudence to discriminate between murder and homicide on the plea that "the devil himself knoweth not the thought of man"[1]; for only by selecting facts can history be written at

[1] F. W. Maitland, *Collected Papers*, I. 327, 453.

all. But the theory would at least dispose of the assumption that the facts of American, are less important than those of Greek or Roman, English or European, history.

The search for absolute values "finds no end, in wandering mazes lost."[1] But if history is an explanation of things as they are, the importance of the history of the United States is sufficiently obvious. The present is a line dividing an infinite past from an infinite future; and on that line are various forces, of which the most definite are the national States. They have all come from somewhere, and are moving in some direction with varying momentum and at different speeds. It is vital to their welfare that each should study the indications of speed and signs of direction. But these can only be read in history; and in order to measure the future momentum, speed, and direction we need to survey an adequate length of the past. We cannot infer a nation's course, rapidity of movement, or weight of influence from the passing moment of to-day. We can only guess whither it is going by observing whence it has come, and deduce its future action from what it has done in the past. The doubtfulness of these inferences, and the erratic course and varying strength of nations at different periods in their history, counsel caution in our deductions; but they do not suggest that we should

[1] Milton, *Paradise Lost*, Bk II.

ignore the lead of a light that is dim when none other illumines the scene. A modest examiner in the History School of this university once described himself as a "bad vivor on a bad vivee riding through an unknown country in the dark"; and the description may fit the political observer poring over the pages of history for light on the probable conduct of states and of statesmen. But, after all, electors have to vote, and cabinets to act; political science is better than none at all; and political science cannot ignore the political weight of America, accumulated during its past and impending over our future.

That influence is not a mere matter of vast population, territory, wealth, and power. There has also been the more subtle infection of ideas and of growths or excrescences in social habits and customs, in the practice of law and politics, and in the pursuit of pleasure and art. We have not here to deal with the allurement of Ford cars, the spell of Christian Science, or the vogue of American architecture. Music must make what she can of American harmonies, and Terpsichore teach her transatlantic toe. Our concern is with Clio, a sober muse, and with the extent of the influence exerted by the United States on the history of British politics. Our terminology indicates our debt, though the most familiar examples may suggest that we might have borrowed better things. It may be only the phrases we have borrowed, and that

British bunkum and bosses, gerrymanders and caucuses, scallywags and carpet-baggers[1] would have smelt as rank under British names. But the earlier occurrence of the term implies an earlier existence of the thing in the United States. The things are not all of dubious value, and the words did not always mean what they mean to-day. When, for instance, we find "ballot," "devolution," and "proportional representation" in American terminology before the adoption of the Constitution[2], they do not quite mean our modern ballot, devolution, and plans for proportional representation; though "Tommies," as British soldiers were called at Boston in 1774[3], are still the same, and so is the "omnibus bill" which Taylor introduced into the phraseology of a presidential message in 1850[4]. The "infant industries," of which Madison wrote in 1816[5], have had a long career in tariff controversies on both sides of the Atlantic, and Stephen Decatur's "My country, right or wrong" (1816) has enjoyed an even wider vogue[6]. The "Black and Tan" convention of Mississippi in

1 On "bunkum," see Moore, *Hist. of Congress*, pp. 224–5; and on "scallywags" and "carpet-baggers," see J. F. Rhodes, *Hist. U.S.A.* VI. 91.

2 S. E. Morison, *Documents*, pp. 8, 85, 245, 252.

3 J. T. Adams, *Revolutionary New England*, p. 416.

4 Rhodes, I. 175.

5 J. W. Moore, *Hist. of Congress*, p. 219.

6 See above, p. 127.

1867[1] has, however, merely a verbal connection with recent Irish politics; and the "union of hearts," of which James Wilson wrote in 1774[2], had no reference to Mr Gladstone's home rule bills. The relation of Seward's advice "wait and see" at the beginning of the Civil War[3] to a more modern use of the phrase may be more substantial; and James Wilson's allusion to a "commonwealth of nations" in 1774[4] was a more encouraging, if not a more far-sighted, anticipation.

These phrases are but driftwood on the ocean of affairs; but they indicate streams of influence and sometimes sources of political inspiration[5]; and not a little of the value of English and American history consists in the light they throw on each other. American is a comment on English history and English is a comment on American. Criticism is perhaps a better word; for while each is to some extent a reflexion of, it is also a reflexion upon, the

1 Rhodes, VI. 90.

2 S. E. Morison, *op. cit.* p. 115.

3 J. F. Rhodes, *op. cit.* III. 337.

4 R. G. Adams, *Political Ideas of the Amer. Rev.* p. 41. Sometimes the thing existed without the phrase. I have not found "one man, one vote" before the end of the eighteenth century, but the Pennsylvania Constitution of 1776 provided that "no inhabitant of this State shall have more than one annual vote at the general election for representatives in assembly" (S. E. Morison, p. 168).

5 See above, p. 116.

other. The American Constitution is obviously an expression of English ideas, but it is more than that; for it expresses ideas and tendencies which were implicit, but did not find expression, in the English Constitution; and we cannot understand English constitutional history unless we understand, not merely what came to fruition, but also what failed to bear and why it came to naught. The famous "separation of powers," for instance, was discerned by Montesquieu in the English Constitution, and to it he attributed English liberty. His analysis was defective, but the rudiments were there, and we fail to appreciate the significance of our Place Bills, unless we apprehend the development of their principle in the Constitution of the United States and inquire why that separation of powers, inherent or incipient in our own Constitution, was checked in its growth on one side of the Atlantic and fostered on the other. Still more important is it to grasp the divergence over the doctrine of parliamentary sovereignty, and to understand how the same mediaeval English Constitution bred Austinian sovereignty in England and natural rights in the United States, and how the American federation, begotten of a protest against the British unicellular State, became in time more rigid than the British and impaled all its territories on the dilemma of legislative union or independence. Cuba was not released merely out of deference to

self-determination, but also because there was no room for an autonomous Dominion within an empire of the United States[1]; and, while it may be true that the British Empire might have solved the problem of 1776 on the lines of the Irish Treaty of 1922, a similar problem could hardly be solved in a similar way by the United States itself.

American history is as much a continuation of mediaeval English history as is the modern history of the mother country; since 1776 they have developed on independent but parallel lines[2]. We can no more understand them in isolation than we can write a family history by following the fortunes of one of the sons alone. English without American history, and American without English, are both one-sided; and they are even less complete without the history of that mediaeval world from which they both developed. It is familiar doctrine that modern can only be understood in reference to mediaeval

[1] Alpheus H. Snow's *Administration of Dependencies*, 1902, is a manful attempt to show that there is, or ought to be, an "unwritten Constitution of the American Federal Empire" as well as a written "Constitution of the United States," which subsequent events have not substantiated. A member of Congress in vain introduced in April, 1924, a bill to give the Philippines a form of self-government "midway between complete independence and the maintenance of the *status quo*" (*The Times*, 5 May, 1924).

[2] *Punch* illustrated this idea, if not this remark, in a cartoon on 31 July, 1924.

English history; and there are signs that the continuity of American with mediaeval history is beginning to be appreciated in the United States. The latest and best-read of the exponents of the Declaration of Independence is not content to father it on John Adams and Thomas Jefferson or even on Locke, but goes back in his line of thought to Newton and Descartes, Montaigne and the *Vindiciae contra Tyrannos*, and as far as St Thomas Aquinas[1]. Other scholars are minutely examining the early colonial charters and insensibly being led by that path back to the Middle Ages; and one historian[2], by way of approach to the problem of 1776, wrote an original and illuminating study of the mediaeval "High Court of Parliament." No one can understand history by studying merely his own people and his own generation; and American historiography has steadily improved with the widening of its scope and vision. The Monroe Doctrine has ceased to apply to American intelligence, however much it may circumscribe American policy. We cannot build very high or dig very deep in our historical surveys unless we start from a broad foundation.

But if a knowledge of mediaeval history is essential

[1] Becker, *Declaration of Independence*, pp. 38, 61.

[2] Prof. C. H. McIlwain, who went on to edit the *Political Writings of James I* (1916) and thence to *A Constitutional Interpretation of the American Revolution* (1923).

to the understanding of that of modern England and America, some knowledge of these later times may be claimed as essential to the full understanding of the Middle Ages. We cannot really know what was in the parent unless we know what has come out in the children. If the past produces the future, the future interprets the past and determines its value. It is what America became that gives importance to the discoveries of Columbus and adds cubits to the stature of George Washington; every extension of Parliamentary institutions lends value to the work of Simon de Montfort and Edward I; every triumph in British naval history underlines the significance of the ship-building of Henry VIII; and each generation of students in America's two oldest universities enhances the slender benefactions of John Harvard and Elihu Yale[1]. No foundation intrigues us much which stopped short where its founder left it. The seed that falls on barren soil may have the same intrinsic value as that which takes root and fructifies; but it is waste of time to pay it the same attention. "By their fruits ye shall know them," and it is idle to pretend that facts have the same value in history, whether they lead to anything or not.

It is the consequences that matter. A cynic once asked "Why should I do anything for posterity?

[1] Harvard's was valued at his death at 780 *l*, and Yale's at 560 *l*.

What has posterity done for me?"[1] Posterity has done a good deal, and sometimes too much, for the barons at Runnymede, Simon de Montfort and Edward I, Columbus and Henry VIII; and political as well as other architecture is judged by the test of time. Froude once remarked that the knowledge of subsequent events spoils the writing of history. That was a characteristic aphorism sprung from his dramatic conception of history. "The most perfect English history," he wrote, "is to be found in the historical plays of Shakespeare."[2] It would, no doubt, add to our interest in reading the history of the American War of Independence if we did not know, as we read, which side was going to win; and the historian must always strive to realize that the men, whose actions he is judging, could not know what would be their effect. The future is veiled, but the future reveals. I do not know precisely what a biologist means by protoplasm: "the physical basis of life" is what Huxley called it. But I suspect that whatever it means has come out in the process of evolution; and it is certain that the value attached to parliament, which led even Stubbs to print it in capitals when it first appears in Matthew Paris[3], was not in the

[1] Butler's *Hudibras* adapted by the American, John Trumbull, in 1784 (cf. Henry Adams, *Hist.* i. 103–4).

[2] *Short Studies*, II. 486.

[3] *Select Charters*, ed. 1900, p. 328. Every original document is liable to like falsification unless it is reproduced by some photographic process.

chronicler's mind but was put there by later history and by modern historians. So the fact that American colonists refused to pay taxes which they could not vote as estates in Parliament adds to the value of that mediaeval precedent; and the claim of the colonies to be "perfect States" because they had complete estates[1] contains a valuable hint for a neglected aspect of English constitutional history. The more there hangs by a chain, the more important its links; and the more there evolves in the future, the more we see in the past. Mediaeval history not only contained the germs of what was made explicit in modern England, but much of what has been made explicit in the history of the United States.

American history has a further value for the student which it is difficult to over-estimate. It was an Italian economist who first apparently drew attention to it. "America," wrote Achille Loria more than thirty years ago, "has the key to the historical enigma which Europe has sought for centuries in vain, and the land which has no history reveals luminously the course of universal history."[2] It was a pity, for the sake of a false antithesis, to spoil a fruitful suggestion by saying that America has no history; for the point is that the recorded history of American struggles with primeval nature and more or less primitive man illus-

[1] R. G. Adams, *Pol. Ideas of the Amer. Rev.* p. 50.
[2] Quoted in F. J. Turner, *The Frontier*, p. 11.

trates the similar but unrecorded process through which European societies passed hundreds or thousands of years ago. Nor should analogy be pressed too far. There can, indeed, be no analogy between masses of evidence and its total absence; nor can we infer much about struggles between equally primitive Saxons and Celts from struggles between civilizations so discrepant as those of the Pilgrim Fathers and Red Indians[1]. The economist is sometimes as apt to equalize all men on a Procrustean bed of economic man as the idealist is to level them all by a fanciful law of nature[2].

But when all allowances are made, human nature under similar conditions tends to produce similar results, and society does pass through much the same stages of economic development. It begins with the nomad hunter, passes on to the shepherd who still wanders in search of pasture but feeds his flocks instead of merely destroying animal life, and then to the tiller of the soil who begins to assist nature instead of being completely dependent on its unaided

[1] The inference from this analogy would be that, inasmuch as the defeated Celts were probably more civilized than the victorious Angles and Saxons, the defeated Red Indians were probably more civilized than the victorious Pilgrim Fathers.

[2] In Vermont rotation in office was imposed in order to "keep up that equality of mankind in which by nature we are all formed" (J. T. Adams, *Revolutionary New England*, p. 442)

produce. The tiller must tie himself to the soil, if only to wait for his harvest; and the more labour he puts into the land the less does he want to leave it. Upon that stable foundation there arises a social pyramid beginning with barter and leading to markets and commerce. The extension of trade promotes specialization in industry; manufacturing centres grow up; and capital accumulates, which depends for its preservation on an elaborate system of law, order, and government. Last come the financier, the professions, and the idle rich.

The point of Loria's remark is that while European societies passed through the earlier of these stages in a pre-historic age which left no written record, America went through them all before the eyes of civilized men who have left ample records of the process. The United States has, indeed, almost down to to-day presented a mosaic of all the different stages of social development: observers could see at any time a picture of each of them being transformed into the next in the order of evolution; and observation of the process in the present enables the observer to visualize it in the past. In Europe the historian is like the geologist, condemned to reconstructing his development from the fossil-remains which age has left; in America he sees all the strata in the process of formation.

Nor is it only social evolution that he can dis-

cern and describe, but political and constitutional development as well. Europe is full enough of the evidences of the later stages in that growth. But historical students need no reminder of the perplexities, confusion, and controversy which attend the study of our Romano-Celtic or Teutonic origins and obscure the genesis of township and manor, hundred and borough; and we still have to guess at the process by which townships grew or were made into tribal kingdoms and shires, anarchical or heptarchical kingdoms into Northumbria, Mercia, and Wessex, and these in their turn into England. Inference from American records of the expansion of settlements not less locally-minded into provinces equally jealous of one another, and then into United States, is hardly even circumstantial evidence of our own development; but it is better than inference from nothing, and at least supplements our discordant inferences from our scanty and doubtful records of pre-Norman civilization. Indian place-names in New England will at least warn us against deducing from the survival of Celtic place-names in England a necessary survival of Celtic population; and a perusal of Parkman's studies of the wilderness and wild men of the west, of ambuscades, outposts, and wooden forts, may throw some collateral light on Anglo-Saxon burhs and warfare with Welshmen and Danes.

The study of this collateral light owes its value

principally to the fact that the American parallel developed in a documentary and not a legendary age; and the slow development of American historiography might well have attracted rather than repelled the research of others. For they would have had few rivals in cultivating virgin soil teeming with every kind of historical material; and, quite apart from the question whether American history possesses the key to the historical enigma of Europe, it provides far better opportunities for training in the methods of historical research and the value of historical evidence than the legendary or literary sources for the early history of Europe. There are contemporary histories of the colonies almost from the beginning of American colonization; and if Thomas Morton's *New English Canaan* and Edward Johnson's *History of New England* are not the work of great historians, they were written by men who went to America in 1622 and 1630 respectively, and relate what they themselves had done or seen or heard; and their accounts can be checked and supplemented by diaries kept by men in high position and by an embarrassing wealth of official correspondence. The mere calendar of the correspondence in the Public Record Office relating to America and the West Indies fills fourteen substantial volumes by the time it reaches the end of the seventeenth century; and a glance through the seventy volumes of the Collections of the Massa-

chusetts Historical Society will indicate how much other material there is for the history of a single colony. Newspapers did not appear, with their debateable value as historical material[1], in America until 1704; but they and pamphlet literature became a voluminous source long before the Declaration of Independence. Time forbids more than a hint at the stupendous mass of material which begins to accumulate as colonial legislative assemblies grew more assertive of their rights and more careful of their records, and as the natural claims of man to self-expression took the form of a natural inclination to keep a diary and maintain a voluble correspondence. Original materials for the history of the United States at least keep pace with the expansion of its territory, and it is probable that their bulk far exceeds the total bulk existing for the whole of English history.

One kind of material for American history has a special but neglected value for the history of England as well; and that is the correspondence of American ambassadors resident at the English Court. Beginning with John Adams in 1783, the list of early ambassadors includes Thomas Pinckney, John Jay, Rufus King, Albert Gallatin, William Pinkney[2], John

[1] Cf. Lucy Maynard Salmon, *The Newspaper and the Historian*, 1923.

[2] See note on the Pinckneys and Pinkneys in Channing, IV. 210, and *Encycl. Brit.* 11th ed. s.vv. Pinckney and Pinkney.

Quincy Adams, and Richard Rush, all of them men of note and two of them afterwards Presidents of the United States. Unhampered by linguistic difficulties and familiar before their arrival with English customs and habits of thought, they were better equipped than most diplomats to serve the cause of history by recording accurate impressions of what they saw and heard; and much of their ample correspondence has long been published. Yet it has rarely been consulted by English writers of the English history of the period. Rush has, indeed, been requisitioned in connexion with the Monroe Doctrine; but his predecessors do not appear to have been consulted by Lecky, by the contributors to the *Political History of England*, or by writers dealing with special aspects of English history during the latter part of the reign of George III.

Enough, however, has been said to show that, from whatever point of view we value historical study, the claims of American history cannot be ignored. If we regard it primarily as a means to a liberal education, there is material enough in the records of the varied civilizations which have contributed to, or been merged in, the people of the United States: in its Anglo-Saxon, Celtic, Dutch, Scandinavian, French, and Spanish elements; in the varieties of social conditions which its varied climate and chequered history have encouraged or imposed;

and in the conflict of ideas between different schools of political thought and the successive phases of development—revolutionary and cosmopolitan, reactionary and conservative, self-centred and nationalist, expansionist and imperialist, materialist and idealist —through which its people have made or fought their way to their present position in the world. If, on the other hand, we regard history as a training in politics, there is no better guide to the problems of government than the debates in the Constitutional Convention of 1787, and no better study than that of the crisis which Abraham Lincoln had to face and of the methods by which he handled it. Or if we look for a training in research, we have no ampler field in which to exercise discrimination and selection and to compare the different values of official and private sources, intimate diaries and public utterances, chronicles and records, diplomatic correspondence and periodical literature, popular legends and historical science.

Finally, we need to study American history in the interests alike of humanity and the humanities. *Nihil humanum a me alienum puto* was the sentiment of a classical humanist. It can hardly be discarded by the most modern of the humanities; and remoteness itself grows remote when battles in France and counsels in London hang upon the arbitrament of those whom we exile from the sphere of our humaner studies. We

cannot long continue to think we comprehend the course of modern history without reference to its American factors. If we boast of history as a science, we should recollect that science knows no frontiers; and if Americans ceased to be provincials when they forswore their isolation, we may pay a similar compliment to ourselves when we include American history within the scope of our understanding.

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